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FEDERAL-AID HIGHWAY ACT OF 1962

U. S. DEPARTMENT OF AGRICULTURE
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LEGISLATIVE REPORTING

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON PUBLIC WORKS UNITED STATES SENATE

EIGHTY-SEVENTH CONGRESS

SECOND SESSION

ON

S. 3136 AND H.R. 12135

TO AUTHORIZE APPROPRIATIONS FOR THE FISCAL YEARS
1964 AND 1965 FOR THE CONSTRUCTION OF CERTAIN HIGH-
WAYS IN ACCORDANCE WITH TITLE 23 OF THE UNITED
STATES CODE, AND FOR OTHER PURPOSES, AND OTHER
MISCELLANEOUS BILLS

AUGUST 7 and 8, 1962

Printed for the use of the Committee on Public Works



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FEDERAL-AID HIGHWAY ACT OF 1962

TUESDAY, AUGUST 7, 1962

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC ROADS OF THE
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met, pursuant to call, at 10 a.m., in room 4200, New Senate Office Building, Senator Pat McNamara (chairman) presiding.

Present: Senators McNamara (presiding), Kerr, Randolph, Moss, Metcalf, and Miller.

Also present: Senator Chavez, chairman of the full committee.

Senator McNAMARA. The committee will come to order.

This committee is meeting this morning for hearings on H.R. 12135, the Federal-Aid Highway Act of 1962, and other related highway bills, introduced in the 87th Congress.

H.R. 12135 passed the House on July 19, 1962, and has been referred to this subcommittee. It authorizes appropriations for fiscal years 1964 and 1965 for the construction of certain highways, which are part of the so-called A-B-C system, and other roads, in accordance with title 23 of the United States Code, and for other purposes.

We also have S. 1159, Senator Chavez' bill, which proposes increases in authorizations for the group comprising forest roads and trails, public lands highways, et cetera. The most significant portion of this bill would authorize a new category of roads, designated as "forest recreation and access roads." These roads would be supplemental to the forest roads and trails program. The latter program is essential for timber management and harvesting purposes. The new category would need to be of a higher type to accommodate the traveling public.

We also have S. 2907, another bill introduced by Senator Chavez to authorize an additional appropriation of \$850,000 for the Rama Road; S. 2529, a bill introduced by Senator Holland to authorize \$28 million for the completion of the Inter-American Highway; S. 3590, another bill introduced by Senator Chavez to authorize \$32 million to complete the Inter-American Highway; an increase of \$4 million over the amount provided in Senator Holland's bill S. 2529; and S. 3136, the bill which I introduced in behalf of the administration, as well as several other road bills. All of these bills will be inserted in the record at this point.

(H.R. 12135 and related bills are as follows:)

[H.R. 12135, 87th Cong., 2d sess.]

AN ACT To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1962".

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, \$950,000,000 for the fiscal year ending June 30, 1964, and \$975,000,000 for the fiscal year ending June 30, 1965. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1964, and \$33,000,000 for the fiscal year ending June 30, 1965.

(3) For forest development roads and trails, an additional \$10,000,000 for the fiscal year ending June 30, 1963, \$70,000,000 for the fiscal year ending June 30, 1964, and \$85,000,000 for the fiscal year ending June 30, 1965.

(4) For public lands development roads and trails, \$2,000,000 for the fiscal year ending June 30, 1964, and \$4,000,000 for the fiscal year ending June 30, 1965.

(5) For park roads and trails, \$22,000,000 for the fiscal year ending June 30, 1964, and \$25,000,000 for the fiscal year ending June 30, 1965.

(6) For parkways, \$16,000,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(7) For Indian reservation roads and bridges, \$16,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

(8) For public lands highways, \$3,000,000 for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

SEC. 3. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

"§ 133. Relocation assistance

"(a) As used in this section the term 'eligible person' means any individual, family, business concern (including the operation of a farm) and nonprofit organization to be displaced by construction of a project.

"(b) The Secretary prior to his approval of any project under section 106 of this title for right-of-way acquisition or actual construction shall require the State highway department to give satisfactory assurance that relocation advisory assistance shall be provided for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway.

"(c) The Secretary shall approve, as a part of the cost of construction of a project on any of the Federal-aid highway systems, such relocation payments as may be made by a State highway department, or a local public agency acting as an agent for the State highway department for this purpose, to eligible persons for their reasonable and necessary moving expenses caused by their displacement from real property acquired for such project. However, the Secretary shall not require a State to pay relocation payments where not authorized by State law.

"(d) Payments under this section shall be subject to such rules and regulations

as may be prescribed by the Secretary, and shall not exceed \$200 in the case of an individual or family, or \$3,000 in the case of a business concern (including the operation of a farm) or nonprofit organization. In the case of a business (including the operation of a farm) and in the case of a nonprofit organization, the allowable expenses for transportation under this subsection shall not exceed the cost of moving 50 miles from the point from which such business or organization is being displaced. Such rules and regulations may include provisions authorizing reimbursement for payments made to individuals and families of fixed amounts (not to exceed \$200 in any case) in lieu of their respective reasonable and necessary moving expenses.

"(e) This section shall apply only with respect to projects approved under section 106 of this title after the date of enactment of this section."

(b) The analysis of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"133. Relocation assistance."

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

SEC. 4. (a) Section 101 of title 23, United States Code, is amended by inserting immediately after the paragraph which begins "The term 'project agreement' means", the following:

"The term 'public lands development roads and trails' means those roads or trails which the Secretary of the Interior determines are of primary importance for the development, protection, administration, and utilization of public lands and resources under his control."

(b) Chapter 2 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

"§ 214. Public lands development roads and trails

"(a) Funds available for public lands development roads and trails shall be used to pay the cost of construction and improvement of such roads and trails.

"(b) Funds available for public lands development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.

"(c) The Secretary shall approve the location, type, and design of all projects for public lands development roads and trails before any expenditures are made thereon and all construction thereof shall be under the general supervision of the Secretary."

(c) The analysis of chapter 2 of title 23 is amended by adding at the end thereof the following:

"214. Public lands development roads and trails."

AVAILABILITY OF FUNDS—OTHER HIGHWAYS

SEC. 5. Section 203 of title 23 of the United States Code is amended by inserting immediately before the phrase "park roads and trails", at each of the two places it appears in such section, the following: "public lands development roads and trails,".

FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN AREAS

SEC. 6. (a) The last sentence of subsection (c) of section 103 of title 23, United States Code, is amended to read as follows: "This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area."

(b) The amendment made by subsection (a) of this section shall apply to apportionments made before as well as after the date of enactment of this Act.

TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

SEC. 7. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately following section 133 the following new section:

"§ 134. Transportation planning in certain urban areas

"It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and

effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"134. Transportation planning in certain urban areas."

RURAL DELIVERY AND STAR ROUTE MILEAGE

SEC. 8. (a) Subsection (b)(1) of section 104 of title 23 of the United States Code is amended by striking out "preceding fiscal year" and inserting in lieu thereof "preceding fiscal year" and inserting in lieu thereof "preceding calendar year".

(b) The amendment made by subsection (a) of this section shall be applicable only with respect to apportionments made after the date of enactment of this Act.

HIGHWAY PLANNING AND RESEARCH FUNDS

SEC. 9. Subsection (c) of section 307 of title 23 of the United States Code is amended by inserting "(1)" immediately after "(c)", by striking out "any year" and inserting in lieu thereof "each fiscal year prior to the fiscal year 1964", and by adding at the end thereof the following:

"(2) One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.

"(3) In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraphs (1), (2), and (3) of section 104(b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection.

"(4) Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching."

DEFINITIONS

SEC. 10. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code:

- (1) Forest development roads and trails;
- (2) Forest highway;
- (3) Indian reservation roads and bridges;
- (4) Park roads and trails;
- (5) Parkway;
- (6) Public lands highways;
- (7) Federal-aid primary system;
- (8) Federal-aid secondary system;
- (9) Urban area;
- (10) Public lands development roads and trails.

Passed the House of Representatives July 18, 1962.

Attest:

RALPH R. ROBERTS, *Clerk.*

[S. 1159, 87th Cong., 1st sess.]

A BILL To provide increased authorizations for the fiscal years ending June 30, 1962, and June 30, 1963, for forest development roads and trails, Indian reservation roads, and public lands highways, and to provide authorization for the construction of national forest recreation and access roads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Highway Act of 1961".

INCREASED AUTHORIZATIONS FOR 1962 AND 1963

SEC. 2. (a) Section 2 of the Federal Highway Act of 1960 (74 Stat. 522) is amended—

(1) by striking out "\$35,000,000" and "\$40,000,000" in paragraph (3) thereof and inserting in lieu of such amounts "\$45,000,000" and "\$55,000,000", respectively;

(2) by striking out "\$12,000,000" wherever it appears in paragraph (6) thereof and inserting in lieu of such amount "\$17,000,000";

(3) by striking out "\$3,500,000" and "\$3,000,000" in paragraph (7) thereof and inserting in lieu of such amounts "\$7,000,000" and "\$6,000,000", respectively; and

(4) by adding at the end thereof the following new paragraph:

"(8) For forest recreation and access roads, \$25,000,000 for the fiscal year ending June 30, 1962, and \$25,000,000 for the fiscal year ending June 30, 1963."

(b) Section 7 of the Federal Highway Act of 1960 is amended by striking out the period at the end thereof and inserting in lieu of such period a semicolon and by adding at the end thereof a new paragraph as follows:

"(10) Forest recreation and access roads."

FOREST RECREATION AND ACCESS ROADS

SEC. 3 (a) Section 101 of title 23 of the United States Code is amended by inserting therein, immediately after the definition of the term "forest highway", a new paragraph as follows:

"The term 'forest recreation and access roads' means those forest roads of primary importance for the purpose of providing access to recreation areas and other areas to which it is desirable to admit the public within the national forests."

(b) The analysis of chapter 2 of title 23, United States Code, is amended by inserting after

"205. Forest development roads and trails."

a new item as follows:

"205A. Forest recreation and access roads."

(c) Section 202 of title 23, United States Code, is amended by inserting at the end thereof the following:

"(d) Sums authorized to be appropriated for forest recreation and access roads shall be allocated by the Secretary of Agriculture according to the relative needs of the various national forests, taking into consideration the use of such roads for interconnections between communities within or adjacent to such forests."

(d) The first and fourth sentences of section 203 of title 23, United States Code, are amended by inserting therein, immediately after "forest development roads and trails" a comma and the following: "forest recreation and access roads".

(e) Chapter 2 of title 23, United States Code, is amended by inserting after section 205 a new section as follows:

"§ 205A. Forest recreation and access roads

"(a) Funds available for forest recreation and access roads shall be used by the Secretary of Agriculture to pay for the cost of construction thereof and,

to the extent he deems advisable, to pay for the cost of maintenance thereof. In connection therewith, the Secretary of Agriculture may enter into contracts with a State or civil subdivision thereof, and issue such regulations as he deems advisable.

"(b) Cooperation of States, counties, or other local subdivisions may be accepted but shall not be required by the Secretary of Agriculture.

"(c) Construction estimated to cost \$10,000 or more per mile, exclusive of bridges, shall be advertised and let to contract. If such estimated cost is less than \$10,000 per mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account. For such purpose, the Secretary of Agriculture may purchase, lease, hire, rent, or otherwise obtain all necessary supplies, materials, tools, equipment, and facilities required to perform the work, and may pay wages, salaries, and other expenses for help employed in connection with such work.

"(d) Funds available for forest recreation and access roads shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities."

"(f) Section 211 of title 23, United States Code, is amended by inserting after "205" a comma and "205A".

[S. 2907, 87th Cong., 2d sess.]

A BILL To authorize an additional appropriation for the Rama Road.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for completion of the Rama Road in the Republic of Nicaragua, there is hereby authorized to be appropriated to the Department of State, in addition to the sums heretofore authorized, the sum of \$850,000, to be available until expended, for discharging the United States obligation under the applicable agreement with the Government of Nicaragua: *Provided*, That the survey and construction work shall be under the general supervision of the Secretary of Commerce: *And provided further*, That funds provided pursuant to this authorization shall not be available for expenditure except under the conditions set forth in section 5 of the Federal Aid Highway Act of 1952 (66 Stat. 160) with respect to the authorization contained in that section.

THE SECRETARY OF STATE,
Washington, February 19, 1962.

Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. VICE PRESIDENT: I herewith submit proposed legislation to permit completion of the Rama Road in Nicaragua.

In an official note of April 8, 1942, the United States entered into an agreement with the Government of Nicaragua to construct a road from San Benito to Rama. This agreement was an outgrowth of conversations between President Somoza of Nicaragua and President Roosevelt. At that time the Nicaraguan President asked that the United States construct a sea-level canal across Nicaragua, a right which the United States obtained in the Bryan-Chamorro Treaty of 1914. However, the U.S. War Department recommended against construction of this canal and also against a barge canal using the San Juan River and Lake Nicaragua. Agreement was then reached on the construction of a road from San Benito to Rama.

The Rama Road is designed to unite two sections which heretofore have been completely separated except by air transport and small boat traffic. The distance from San Benito to Rama is 155 miles of which 136 miles of all-weather road have been constructed. Nineteen miles of highway and eight bridges remain to be completed. When the Rama Road is finished a port for the capital city of Managua will be created since the Nicaraguan Government needs only to dredge the mouth of the Escondido River to allow oceangoing ships to proceed upstream to the town of Rama. A port at Rama will facilitate shipping and lower the costs on Nicaragua's imports and exports.

The area in eastern Nicaragua served by the completed portion of the Rama Road is already benefiting by the development of promising cattle, coffee, and mining industries. Furthermore, the augmented truck and bus traffic between

Villa Somoza, Santo Tomas, Juigalpa, and Managua has already resulted in increased imports of U.S. vehicles, parts, petroleum and related products. Daily scheduled bus service has been established as far as the road has been completed. The Nicaraguan Government is constructing feeder roads between the developing rural areas and the Rama Road and from there to Managua and other major centers of population. Although the United States is obligated to bear the entire cost of the Rama Road, Nicaragua has nonetheless expended approximately \$4.8 million on this project.

Construction of the Rama Road began early in 1943 with a \$4 million allocation to the Bureau of Public Roads, Department of Commerce, from the Emergency Fund for the President. Work was suspended in June 1948 when these funds were exhausted. Subsequently, the following authorizations were made: (1) The Federal-Aid Highway Act of 1952 authorized \$4 million; (2) the Federal-Aid Highway Act of 1954 authorized \$4 million; and (3) Public Law 85-885 authorized \$4 million. Thus a total of \$16 million has been authorized of which \$14.5 million has been appropriated. Of the amount appropriated to date, funds were available to cover six of the remaining eight bridges and 14 of the remaining 19 miles of highway. The unappropriated authorization of \$1.5 million is sufficient only to cover the construction of the final two bridges. Additional authorizing legislation is therefore required for \$850,000 to complete the last 5 miles of roadway. An appropriation for the entire amount of \$2,350,000 will enable the Bureau of Public Roads to negotiate a contract for the uncompleted portion of this project, thereby discharging in full the obligation of the United States under the agreement with Nicaragua.

The submission of this proposed legislation has been approved by the Bureau of the Budget as being consistent with the administration's objectives.

Sincerely yours,

DEAN RUSK.

THE SECRETARY OF COMMERCE,
Washington, D.C., May 31, 1962.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of the Department of Commerce on S. 2907, 87th Congress, 2d session, a bill to authorize an additional appropriation for the Rama Road.

The bill would authorize the sum of \$850,000 to be appropriated to the Department of State for the completion of the Rama Road in Nicaragua. The survey and construction work would be under the general supervision of the Secretary of Commerce.

The Department of Commerce recommends enactment of S. 2907, amended as set forth herein.

The Project Statement and Memorandum of Understanding for the Rama Road, entered into between the Bureau of Public Roads of this Department and the Government of Nicaragua to carry out the terms of the governing legislation, provides for the construction of a road between San Benito and Rama to mutually acceptable standards. Authorizations available to date will complete this construction to the Sequia River, including a bridge over the Sequia River, leaving 5 miles of highway to Rama remaining to be constructed.

The overall increasing trend in prices and the more difficult construction problems experienced in the rain forests toward the Pacific coast in Nicaragua have all attributed to exceeding the basic estimate made several years ago. It is now estimated that an additional authorization and appropriation of \$850,000 will be needed to complete the road in accordance with the agreement, with Nicaragua. This is the amount provided for in the budget for the fiscal year ending June 30, 1963 (H. Doc. 266, p. 618).

It is noted that the bill refers to the expenditure of funds under section 5 of the Federal-Aid Highway Act of 1952 (66 Stat. 160). The provisions of section 5 of the 1952 act have now been codified as section 213 of title 23, United States Code. It is recommended, therefore, that the phrase "section 5 of the Federal-Aid Highway Act of 1952 (66 Stat. 160)," where it appears in lines 2, 3, and 4 on page 2 of the bill, be deleted and that "section 213 of title 23, United States Code," be inserted in lieu thereof.

The Bureau of the Budget advises that there would be no objection to the submission of this report and, further, that enactment of this legislation would be consistent with the objectives of the administration.

Sincerely yours,

EDWARD GUDEMAN,
Under Secretary of Commerce.

[S. 2529, 87th Cong., 1st sess.]

A BILL To authorize the appropriation of adequate funds to provide for the completion of the construction of the Inter-American Highway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of completing the construction of the Inter-American Highway, there is hereby authorized to be appropriated the additional sum of \$28,000,000 to be expended in accordance with the provisions of section 212 of title 23 of the United States Code.

[S. 3590, 87th Cong., 2d sess.]

A BILL To authorize the appropriation of adequate funds to provide for the completion of the construction of the Inter-American Highway, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of completing the construction of the Inter-American Highway, there is hereby authorized to be appropriated the additional sum of \$32,000,000 to be expended in accordance with the provisions of section 212 of title 23 of the United States Code: *Provided*, That no part of such sum shall be obligated in any country until that country demonstrates, to the satisfaction of the Secretary, that it is capable of meeting its commitment for maintenance under the agreements entered into pursuant to the provisions of section 212(a) (5) of title 23, United States Code.

[From the Congressional Record, Aug. 1, 1962]

APPROPRIATIONS FOR COMPLETION OF INTER-AMERICAN HIGHWAY

Mr. CHAVEZ. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize the appropriation of adequate funds to provide for the completion of the construction of the Inter-American Highway, and for other purposes. I ask unanimous consent that a letter from the Under Secretary of Commerce requesting the proposed legislation, be printed in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 3590) to authorize the appropriation of adequate funds to provide for the completion of the construction of the Inter-American Highway, and for other purposes, introduced by Mr. Chavez, by request, was received read twice by its title, and referred to the Committee on Public Works.

The letter presented by Mr. Chavez is as follows:

DEPARTMENT OF COMMERCE,
Washington, D.C., May 25, 1962.

The Honorable the PRESIDENT OF THE SENATE,
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Commerce has prepared and submits herewith as a part of its legislative program for the 87th Congress, 2d session, a draft of a proposed bill to authorize the appropriation of adequate funds to provide for the completion of the construction of the Inter-American Highway, and for other purposes.

Since 1930 the United States, through the Bureau of Public Roads of this Department has been assisting the Central American Republics and Panama in the construction of the Inter-American Highway, which extends 3,142 miles from Laredo, Tex., to Panama City. The 1,587-mile section in Mexico was completed entirely by the Mexican Government. Additional sections in each of the other countries have been completed by those countries; however, large sections have been undertaken with the assistance of the Bureau of Public Roads. This work

has been done under the provisions of section 212 of title 23, United States Code, whereby two-thirds of the cost is financed by the United States on a matching basis with the cooperating countries. As of October 31, 1961, approximately \$300,000 of construction funds from prior appropriations remained unobligated, and it is anticipated that this amount will be fully utilized during the fiscal year. With the expenditure of these remaining funds, the highway will be opened to an all-weather standard throughout but will require additional grading, drainage, and paving projects to bring it to the proposed standard.

The construction work to be done includes paving in Guatemala, Nicaragua, Costa Rica, and Panama; widening of substandard sections, and heavy retaining wall and revetment work through unstable mountainous terrain of Guatemala and Costa Rica; and completion of the grading, drainage, base, bridges, and paving of the Guabala-Santiago cutoff in Panama. After the conclusion of this work, the responsibility of this Department for completing the construction of the Inter-American Highway will be terminated. It is contemplated that future U.S. responsibility for protecting its investment in this highway and assuring that adequate maintenance is performed will be assumed by the Department of State.

It is estimated that \$32 million will be needed to finance the U.S. share of the cost of completing the Inter-American Highway. This amount is predicated on there being positive assurance of adequate maintenance.

Some of the largest increases in the cost of completing the highway have been due to inadequacy or lack of maintenance in many of the countries affected. We believe it, therefore, to be in the best interest of the United States to participate in maintenance of the highway during the first 5 years, both in initial financial help and in providing expert technical assistance where needed in order to protect our large investment. As a practical matter, a majority of the countries concerned have been unable to maintain the completed portions of the highway, despite the existence of agreements providing for full maintenance by the countries concerned.

Participation to assure adequate maintenance can best be accomplished by the establishment of an Inter-American Highway Authority as proposed in the June 1960 report of the International Road Federation. This study report was made at the specific request of the Public Works Ministers of the Central American Republics and Panama. The highway authority membership would include the United States and the Republics of Guatemala, El Salvador, Nicaragua, Honduras, Costa Rica, and Panama. The United States would contribute 50 percent of the cost of operating this authority for the first 5 years with the remaining 50 percent to be borne by each of the Central American Republics in proportion to its share of the highway mileage. It is anticipated that such assistance will result in a fully stabilized highway with increasing traffic, economy, and tax revenues for the republics which will assure their assumption of the maintenance responsibility guaranteed by original agreements. The U.S. share of maintenance costs, under such an arrangement, would be financed through foreign aid funds with the program becoming a responsibility of the Department of State.

A suitable cooperative arrangement must be made under the law to insure prompt and adequate maintenance, without which the life of the completed highway will be jeopardized, and it is proposed that the \$32 million authorization for completion of the highway shall not be obligated until some adequate provision for maintenance is achieved.

The Department of Commerce recommends this proposed legislation for the favorable consideration of the Congress.

We have been advised by the Bureau of the Budget that enactment of this proposed legislation would be consistent with the administration's objectives.

Sincerely yours,

EDWARD GUDEMAN,
Under Secretary of Commerce.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 11, 1962.

HON. DENNIS CHAVEZ,
*Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 2529, a bill to authorize the appropriation of adequate funds to provide for the completion of the construction of the Inter-

American Highway. S. 2529 would provide for an additional authorization of \$28 million.

The Department of Commerce submitted draft legislation to the Congress on May 25, 1962, to authorize an additional \$32 million for the completion of the construction of the Inter-American Highway.

The Bureau of the Budget would favor enactment of legislation as proposed by the Department of Commerce and would, therefore, recommend against enactment of S. 2529.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

THE SECRETARY OF COMMERCE,
Washington, D.C., May 31, 1962.

Hon. DENNIS CHAVEZ,
*Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of the Department of Commerce concerning S. 2529, a bill to authorize the appropriation of adequate funds to provide for the completion of the construction of the Inter-American Highway.

The proposed legislation would authorize the additional sum of \$28 million for the purpose of completing the construction of the Inter-American Highway. Such sum would be expended in accordance with the provisions of section 212 of title 23, United States Code.

The Department of Commerce would favor the enactment of S. 2529 if amended in accordance with the following recommendations.

Since 1930 the United States, through the Bureau of Public Roads of this Department, has been assisting the Central American Republics and Panama in the construction of the Inter-American Highway, which extends 3,142 miles from Laredo, Tex., to Panama City. The 1,587-mile section in Mexico was completed entirely by the Mexican Government. Additional sections in each of the other countries have been completed by those countries; however, large sections have been undertaken with the assistance of the Bureau of Public Roads. This work has been done under the provisions of section 212 of title 23, United States Code, whereby two-thirds of the cost is financed by the United States on a matching basis with the cooperating countries. As of October 31, 1961, approximately \$300,000 of construction funds from prior appropriations remained unobligated, and it is anticipated that this amount will be fully utilized during the fiscal year. With the expenditure of these remaining funds, the highway will be opened to an all-weather standard throughout but will require additional grading, drainage, and paving projects to bring it to the proposed standard.

The construction work to be done includes paving in Guatemala, Nicaragua, Costa Rica, and Panama, widening of substandard sections, and heavy retaining wall and revetment work through unstable mountainous terrain of Guatemala and Costa Rica; and completion of the grading, drainage, base, bridges, and paving of the Guabala-Santiago Cutoff in Panama. After the conclusion of this work, the responsibility of this Department for completing the construction of the Inter-American Highway will be terminated. It is contemplated that future U.S. responsibility for protecting its investment in this highway and assuring that adequate maintenance is performed will be assumed by the Department of State.

It is estimated that \$32 million will be needed to finance the U.S. share of the cost of completing the Inter-American Highway. This amount is predicated on there being positive assurance of adequate maintenance.

Some of the largest increases in the cost of completing the highway have been due to inadequacy or lack of maintenance in many of the countries affected. We believe it, therefore, to be in the best interest of the United States to participate in maintenance of the highway during the first 5 years, both in initial financial help and in providing expert technical assistance where needed in order to protect our large investment. As a practical matter, a majority of the countries concerned have been unable to maintain the completed portions of the highway, despite the existence of agreements providing for full maintenance by the countries concerned.

Participation to assure adequate maintenance can best be accomplished by the establishment of an Inter-American Highway Authority as proposed in the June 1960 report of the International Road Federation. This study report was made at the specific request of the Public Works Ministers of the Central American Republics and Panama. The highway authority membership would include the United States and the Republics of Guatemala, El Salvador, Nicaragua, Honduras, Costa Rica, and Panama. The United States would contribute 50 percent of the cost of operating this authority for the first 5 years with the remaining 50 percent to be borne by each of the Central American Republics in proportion to its share of the highway mileage. It is anticipated that such assistance will result in a fully stabilized highway with increasing traffic, economy, and tax revenues for the Republics which will assure their assumption of the maintenance responsibility guaranteed by original agreements. The U.S. share of maintenance costs under such an arrangement would be financed through foreign-aid funds with the program becoming a responsibility of the Department of State.

The amount proposed to be authorized to be appropriated by S. 2529, \$28 million, while it would permit continuation of needed construction on the Inter-American Highway, would not be sufficient to complete the highway to a necessary degree. It is recommended, therefore, that the amount of \$32 million be substituted in the bill for the amount of \$28 million in order that sufficient funds will be available to accomplish completion of the needed construction. Since the amount of \$32 million is predicated on there being positive assurance of adequate maintenance, we also recommend that the bill be amended to provide that the \$32 million authorization for completion of the highway shall not be obligated until some adequate provision for maintenance is achieved.

The foregoing recommendations may be accomplished by amending S. 2529 along the lines of the enclosed draft bill.

The Bureau of the Budget has advised that, if the bill is amended as recommended, its enactment would be consistent with the administration's objectives.

Sincerely yours,

EDWARD GUDEMAN,
Acting Secretary of Commerce.

A BILL To authorize the appropriation of adequate funds to provide for the completion of the construction of the Inter-American Highway, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of completing the construction of the Inter-American Highway, there is hereby authorized to be appropriated the additional sum of \$32 million to be expended in accordance with the provisions of section 212 of title 23 of the United States Code: *Provided*, That no part of such sum shall be obligated in any country until that country demonstrates, to the satisfaction of the Secretary, that it is capable of meeting its commitment for maintenance under the agreements entered into pursuant to the provisions of title 23, United States Code, section 212(a)(5).

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF PUBLIC ROADS,
Washington, D.C., July 27, 1962.

HON. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In compliance with your request the following briefly summarizes the present status of the Inter-American Highway, and explains the need for additional authorization and appropriation to complete this important work. Without additional funds this year it will be necessary for Public Roads to close down our offices in the Central American countries, with the resulting dispersion of our experienced engineers before completing the highway.

All funds available from previous appropriations are now either spent or obligated for the construction contracts in progress and for their administration. These last contracts will finish an all-weather road through to Panama by late fall. However, the highway will not be completed to the proposed standard, will have narrow and unprotected sections through the Tapon in Guatemala and over the divide between Cartago and San Isidro in Costa Rica, and will require

additional grading, drainage, and paving projects. Thirty-two million dollars will be needed to finance the U.S. two-thirds share of the cost of completing this work. The enclosed detailed summary describes the work necessary for the various sections in each county, together with the U.S. funds required.

The apparent increase in the overall cost has resulted from unrealistic estimates in the past and to some extent from lack of maintenance of partially completed sections by the responsible countries. In addition, unanticipated large postconstruction costs have resulted from use of the most economical, conservative designs through the unstable areas of Guatemala and Costa Rica.

Since some increase in the cost of completing the highway has been due to inadequacy or lack of maintenance in several of the countries affected, we have proposed in our legislative program that the authorization for this additional appropriation include a provision requiring demonstration of satisfactory maintenance by each country before permitting obligation of the funds. The details of this proposal were submitted to you with our comments on S. 2529 on May 31, 1962.

We have prepared a large map with colors graphically showing the present status of the Inter-American Highway, and the work proposed under the additional appropriation authorization. At your convenience we will be pleased to deliver this map to your office to further explain the work remaining to be done to satisfactorily complete this highway.

Sincerely yours,

REX M. WHITTON,
Federal Highway Administrator.

Location and description of work to be done to complete the Inter-American Highway

Country and location	Length to be improved	Description of work required	U.S. funds to complete
Guatemala:	<i>Miles</i>		<i>Thousands</i>
Mexican border to San Cristobal.....	94.9	Widen, remove slides, half bridges, retaining walls, revetment work, stabilize roadbed, base and bituminous surface.	\$6,264
Las Vinas to Barberena.....	5.8	Repair base and bituminous surface.....	47
Barberena to Asuncion Mita.....	57.5	Base and bituminous surface.....	1,789
Asuncion Mita to El Salvador.....	11.8	Repair base and bituminous surface.....	110
Subtotal, Guatemala.....	170.0	-----	8,210
El Salvador: Border to border.....	0	None.....	0
Honduras: Border to border.....	0	do.....	0
Nicaragua: Nandaime to Rivas.....	27.6	Reconstruct base and bituminous surface.	970
Costa Rica:			
Las Canas to San Ramon.....	68.3	do.....	2,750
Cartago to San Isidro.....	71.0	Widen, realine, remove slides, stabilize roadbed, base, and bituminous surface.	5,734
San Isidro to Panama border.....	133.0	Remove slides, stabilize roadbed, base, and bituminous surface.	5,300
Subtotal, Costa Rica.....	272.3	-----	13,784
Panama:			
Guabala to El Pajal.....	26.7	Complete grading, drainage, base, bridges, and concrete pavement.	5,900
El Pajal to Santiago.....	35.3	Concrete pavement.....	1,348
Subtotal, Panama.....	62.0	-----	7,248
Total.....	531.9	-----	30,212
U.S. administration.....			1,788
Grand total.....	531.9	-----	32,000

NOTE.—All sections to be worked on must be maintained and kept open to traffic during construction.

JULY 30, 1962.

HON. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This will supplement my letter of July 27 on the status of the Inter-American Highway, and provide additional details regarding the work in Guatemala.

Guatemala is ready financially to immediately undertake the additional construction needed to finish the highway, and is pressing for the U.S. two-thirds share. This reverses the experience in the past wherein considerable delay resulted from Guatemala being unable to finance their one-third share of the work. This situation developed as the result of a \$3 million Export-Import Bank loan for this work authorized in December 1960, which loan has not been used to date since all work in the past has been financed directly from the National Treasury.

Guatemala is most anxious to complete the work in their country and I have had frequent calls in the past 2 years from Col. Jose Luis Cruz Salazar, Minister of Communications and Public Works, and from Ambassador Carlos Alejos urging our assistance, either through obtaining additional U.S. funds or by providing assurance that our funds could later be reimbursed to Guatemala if they finished the work using their own funds. Of course, we could not commit funds in advance of appropriations and have had to refuse to initiate additional construction pending the outcome of our request for additional appropriations. The terms of the Export-Import Bank loan permit use of the funds only when matched by the United States and Guatemala was refused permission to undertake construction solely with these funds.

Of the work remaining on the Inter-American Highway, Guatemala places highest priority on the completion of the paving south of Guatemala City, the section between Barberena and Asuncion Mita. This 57.5 mile section is the only section remaining unpaved between Guatemala City and Managua, Nicaragua. Paving north of Guatemala City is completed through to Quezaltenango. Guatemala's second largest city, and the Guatemalans are most anxious to complete the construction and paving north from there to the Mexican border.

Sincerely yours,

REX M. WHITTON,
Federal Highway Administrator.

[S. 3136, 87th Cong., 2d sess.]

A BILL To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1962".

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, \$950,000,000 for the fiscal year ending June 30, 1964, and \$950,000,000 for the fiscal year ending June 30, 1965. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1964, and \$33,000,000 for the fiscal year ending June 30, 1965.

(3) For forest development roads and trails, an additional \$10,000,000 for the fiscal year ending June 30, 1963, \$70,000,000 for the fiscal year ending June 30, 1964, and \$85,000,000 for the fiscal year ending June 30, 1965.

(4) For public land development roads and trails, \$2,000,000 for the fiscal year ending June 30, 1964, and \$4,000,000 for the fiscal year ending June 30, 1965.

(5) For park road and trails, \$22,000,000 for the fiscal year ending June 30, 1964, and \$25,000,000 for the fiscal year ending June 30, 1965.

(6) For parkways, \$16,000,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(7) For Indian reservation roads and bridges, \$16,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

(8) For public lands highways, \$3,000,000 for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

SEC. 3. (a) Chapter 1 of title 23, United States Code, is amended by revising the definition of the term "construction" in section 101 to read as follows:

"The term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping (including the establishment of temporary and permanent geodetic markers in accordance with specifications of the Coast and Geodetic Survey in the Department of Commerce), costs of rights-of-way (including the administrative expenses of providing arrangements for the relocation of families and relocation payments to families and businesses under section 133), and elimination of hazards of railway-grade crossings."

(b) Chapter 1 of title 23, United States Code, is amended by adding a new section at the end thereof as follows:

"§ 133. Assistance for displaced families and businesses

"(a) The Secretary, as a condition precedent to his approval under section 106 of this title, shall require the State highway department, through an agency or agencies acceptable to the Secretary, to assure that there is a feasible method for the temporary relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highways, and that there are or will be provided in areas not generally less desirable in regard to the availability of public utilities and public and commercial facilities at rents or prices within the financial means of the families displaced by the acquisition or clearance of such rights-of-way decent, safe, and sanitary dwellings adequate in number to accommodate such displaced families and reasonably accessible to their places of employment.

"(b) The Secretary may approve, as a part of the cost of construction of a project on any of the Federal-aid highway systems, relocation payments by a State highway department, or a local public agency acting as an agent for the State highway department for this purpose, to individuals, families, business concerns and nonprofit organizations for their reasonable and necessary moving expenses and any actual direct losses of property, except goodwill or profit, caused by their displacement from real property acquired for such project and for which reimbursement or compensation is not otherwise made.

"(c) Payments under this section shall be subject to such rules and regulations as may be prescribed by the Secretary, and shall not exceed \$200 in the case of an individual or family, or \$3,000 (or if greater, the total certified actual moving expenses) in the case of a business concern or nonprofit organization. Such rules and regulations may include provisions authorizing payments to individuals and families of fixed amounts (not to exceed \$200 in any case) in lieu of their respective reasonable and necessary moving expenses and actual direct losses of property."

(c) The analysis of chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"133. Assistance for displaced families and businesses."

(d) The provisions of this section shall be applicable only to displacements occurring subsequent to the enactment of this Act.

PUBLIC LAND DEVELOPMENT ROADS AND TRAILS

SEC. 4. (a) Section 101 of title 23, United States Code, is amended by inserting immediately after the paragraph which begins "The term 'project agreement' means", the following:

"The term 'public land development roads and trails' means those roads or trails that are of primary importance for the development, protection, administration, and utilization of lands and resources administered by the Bureau of Land Management, or when necessary, for the use and development of the resources upon which communities within or adjacent to lands administered by the Bureau of Land Management are dependent."

(b) Chapter 2 of title 23, United States Code, is amended by inserting the following new section in its numerical sequence:

“§ 205A. Public lands development roads and trails

“(a) Funds available for public land development roads and trails shall be used to pay for the cost of construction and improvement thereof.

“(b) Funds available for public land development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water and fire control facilities.”

(c) The analysis of chapter 2 of title 23, United States Code, is amended by inserting the following in its numerical sequence:

“205A. Public lands development roads and trails.”

AVAILABILITY OF FUNDS—OTHER HIGHWAYS

SEC. 5. Section 203 of title 23, United States Code, is amended by inserting immediately before the phrase “park roads and trails”, wherever it appears in said section, the phrase “public land development roads and trails,”.

FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN AREAS

SEC. 6. (a) The last sentence of subsection (c) of section 103 of title 23, United States Code, is amended to read as follows: “This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area.”

(b) To the extent that this section provides additional authority for the use of Federal-aid apportionments for extensions of the secondary system in urban areas, such additional authority shall apply with respect to apportionments made prior to as well as after the date of approval of this Act.

TRANSPORTATION PLANNING IN METROPOLITAN AREAS

SEC. 7. (a) Chapter 1 of title 23, United States Code, is amended by adding thereto a new section as follows:

“§ 134. Transportation planning in metropolitan areas

“It is declared to be in the national interest to encourage and promote the development of balanced transportation systems, embracing all appropriate modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized under this title, in the development of long-range highway plans and programs, properly coordinated with plans for improvements in other forms of transportation and formulated with due consideration to their probable effect on the future development of metropolitan areas. The Secretary shall, beginning no later than July 1, 1965, before approving programs for projects in any metropolitan area, as required by section 105 hereof, make a finding that such projects are consistent with adequate comprehensive development plans for the metropolitan areas, or are based on the results of a continuing comprehensive transportation planning process carried on cooperatively by the States and local communities and that the Federal-aid system so developed will be an integral part of a soundly based, balanced transportation system for the area involved.”

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

“134. Transportation planning in metropolitan areas.”

HIGHWAY PLANNING AND RESEARCH FUNDS

SEC. 8. Subsection (c) of section 307 of title 23, United States Code, is amended to read as follows:

“(c) Of the sums apportioned for any year, commencing with those for the fiscal year 1964, to any State under section 104 of this title, 1½ per centum shall be available, with the approval of the Secretary, for expenditure upon request of the State highway department for engineering and economic surveys and investigations, for the planning of future highway programs and the financing thereof, for studies of the economy, safety, and convenience of highway

usage and the desirable regulation and equitable taxation thereof, and for research necessary in connection with the planning, design, construction, and maintenance of highways and highway systems, and the regulation and taxation of their use. An additional one-half of 1 per centum of sums apportioned for any year to any State under paragraphs (1), (2), and (3) of section 104(b) of this title shall be available, with the approval of the Secretary upon the request of the State highway department, for highway research purposes as set forth in this subsection. Sums available in any State under this subsection shall be matched by the State in accordance with the matching requirements of section 120 of this title, except as the Secretary may determine that the interests of the Federal-aid highway program would be at best served without such matching. Such sums shall be administered as a single fund, but their identity as interstate, primary, secondary, or urban funds shall be preserved, and shall continue to be available in that State for the purposes hereof in the same manner as provided for under section 118 of this title. Any research and planning moneys derived from interstate funds which are required to be reapportioned in the manner provided by subsection (b) of said section 118 shall be available upon such reapportionment only for the purposes for which such moneys were originally available under this subsection."

THE SECRETARY OF COMMERCE,
Washington, D.C., April 6, 1962.

The Honorable the PRESIDENT OF THE SENATE,
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Commerce submits herewith as a part of its legislative program for the 87th Congress, 2d session, a draft of a proposed bill to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The Department of Commerce recommends enactment of the proposed legislation by the Congress.

The draft bill, which is designated the "Federal-Aid Highway Act of 1962," would carry out the recommendations made by the President in his transportation message which has just been submitted to the Congress, and would provide for levels of authorizations proposed in the 1963 budget for the Federal-aid highway program. Its broad purpose is to provide the necessary authorizations for continuation of the Federal-aid highway program and for other Federal highway and road construction programs in the Departments of Commerce, Interior, and Agriculture, and to strengthen and improve the role that the Federal-aid highway program will play as part of the President's program to assist in the planning and development of comprehensive and balanced urban transportation.

The draft bill provides for authorizations of \$950 million for the Federal-aid primary and secondary highway systems and their extensions within urban areas for each of the fiscal years 1964 and 1965. This level was recommended by the President to the Congress in his special highway message of February 28, 1961. It represents an increase of \$25 million for each year over the \$925 million authorized for each of the 2 previous fiscal years, and is consistent with the national interest expressed in section 101(b) of title 23, United States Code.

The bill also includes authorizations for the fiscal year 1964 and for the fiscal year 1965 to continue programs for forest highways, forest development roads and trails, park roads and trails, parkways, Indian reservation roads and bridges, and public lands highways. In addition, authorizations for a new program are proposed for public land development roads and trails for the development, protection, administration, and utilization of lands and resources administered by the Bureau of Land Management in the Department of the Interior. Proposed authorizations for these programs, together with amounts previously authorized for fiscal years 1962 and 1963, are shown in the enclosed schedule. Additional justification will be provided by the Departments of the Interior and Agriculture for those direct road programs within their jurisdictions.

A major objective of this bill is to increase the effectiveness of the Federal-aid highway program as an instrument of Federal assistance for strengthening and

improving urban transportation. In order to achieve this objective, the President has recommended in his transportation message that four amendments be made to Federal-aid highway law. These proposals have been incorporated into this draft bill and are described below.

A new program of Federal assistance is proposed for families and businesses displaced as a result of Federal-aid highway construction comparable to existing provisions under urban renewal legislation. The Bureau of Public Roads estimates that about 15,000 families and 1,500 businesses will be displaced each year in the next 6 to 8 years by the completion of the Interstate System alone. Section 3 of the bill amends Federal-aid highway law to redefine the term "construction" to specifically include relocation payments and administrative expenses incurred by the States in providing assistance, as an appropriate cost of right-of-way acquisition for highway projects. This section also authorizes the Secretary of Commerce to require assurances by the State highway departments of feasible temporary relocation methods and of the availability of suitable dwellings to accommodate displaced families, and to approve Federal-aid participation in State relocation payments, with specified limitations, for reasonable and necessary moving expenses and actual property losses not otherwise compensated.

Certain States are finding it increasingly difficult to improve the extensions of the Federal-aid secondary system into urban areas because of the higher priority for the use of available urban funds on the improvement of arterial streets in these areas. Under existing law, secondary funds are not available under certain conditions for use in urban areas and, as a result, in many cases secondary routes are improved up to the urban limits, and urban funds are not available for their improvement within these urban limits. Section 6 of the bill would remove the present limitation on the use of Federal-aid secondary funds for financing extensions of the secondary system in urban areas.

A major objective of national transportation policy in the use of Federal assistance programs should be to encourage and facilitate the development by States and local communities of balanced transportation systems consistent with long-range comprehensive development plans. In order that this objective may be expeditiously carried out, certain modifications of the basic Federal-aid highway legislation are considered highly desirable. Accordingly, section 7 of the bill would require, as a condition to the approval of a highway program involving a metropolitan area, that State and local agencies undertake transportation planning on a continuing basis which should be consistent with adequate comprehensive development plans prepared for such metropolitan areas.

This provision, we believe, would encourage balanced transportation planning and improve the quality of general metropolitan planning. It would in no way delay the current Federal-aid highway program. Reasonable time would be allowed for the States and local communities to establish the continuing planning process that would be required and to produce the plans to which their highway systems would conform. The cooperative working arrangements undertaken by the Bureau of Public Roads with States and localities in the area of transportation planning will permit the Federal guidance and leadership necessary to achieve the objective of sound and uniform transportation planning in metropolitan areas.

In order to stimulate additional highway research activities in the Federal-State cooperative areas, provisions of existing law regarding the use of Federal-aid highway funds apportioned to the States for planning and research purposes are revised significantly by section 8 of the draft bill. Generally, this section provides that the amount of funds available for all forms of highway research would be increased, highway planning and research funds would be matched by the States, and the funds if not so used for these purposes would lapse.

More specifically, an additional one-half of 1 percent would be made available for highway research purposes from funds apportioned to the States for the Federal-aid primary, secondary, and urban programs. This additional one-half of 1 percent, together with State matching funds, would amount to almost \$10 million annually and would be in addition to the present 1½ percent which is currently being used for both highway planning and highway research.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely yours,

C. D. MARTIN, Jr.,
Acting Secretary of Commerce.

Schedule of existing authorizations for direct Federal highway and road construction programs and proposed authorizations under draft bill to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes

[In millions]

Program	Existing authorizations		Proposed authorizations		
	Fiscal year 1962	Fiscal year 1963	Fiscal year 1963	Fiscal year 1964	Fiscal year 1965
Forest highways.....	\$33.0	\$33	-----	\$33	\$33
Forest development roads and trails.....	35.0	40	\$10	70	85
Public land development roads and trails.....	-----	-----	-----	2	4
Park roads and trails.....	18.0	18	-----	22	25
Parkways.....	16.0	16	-----	16	16
Indian reservation roads and bridges.....	12.0	12	-----	16	18
Public lands highways.....	3.5	3	-----	3	3

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington D.C. May 4, 1962.

HON. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR SENATOR CHAVEZ: This responds to your committee's request for a report on S. 3136, a bill to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

We recommend that S. 3136 be enacted.

The following table sets forth the authorizations of S. 3136 as to the items in which this Department has a particular interest:

	1964	1965
Park roads and trails.....	\$22,000,000	\$25,000,000
Parkways.....	16,000,000	16,000,000
Indian roads and bridges.....	16,000,000	18,000,000
Public land development roads and trails.....	2,000,000	4,000,000

The rehabilitation and development of the public lands is being accelerated, within budgetary objectives, and expenditures for roads are becoming more significant. It seems only proper, therefore, that the authorization for roads on the public domain should be coupled with other road authorizations to provide a more comprehensive bill and to afford an opportunity for adequate consideration within the total road program.

Approximately 195 million board feet of timber are harvested each year from public domain lands administered by the Bureau of Land Management. This harvest grosses about \$5 million, but has an end product value of \$100 million and creates an estimated 2,500 man-years of labor, a contributing factor to the economic growth of communities.

Section 2(b) of the Federal-Aid Highway Act of 1960 (72 Stat. 522) authorized appropriations for Indian reservation roads and bridges, \$12 million for the fiscal year ending June 30, 1962, and \$12 million for the fiscal year ending June 30, 1963.

The proposed increases in the authorizations for Indian reservation roads contemplated by S. 3136 would enable this Department's Indian Bureau to attain important objectives in education, conservation, and recreation; it would provide a better balance of these programs and result in a more efficient overall Indian Bureau program.

The strongest element in the priority ratings of Indian reservation road construction projects is the need for improved school supply and bus transportation. Many of the existing schoolbus roads are inadequate. The present condition of the roads causes severe damage to schoolbuses and renders the roads impassable

in bad weather. Moreover, the Indian Bureau has an obligation to furnish education to some 5,000 children who are not now in school. The improvement of reservation roads will increase school attendance and improve the efficiency of the school operation.

All-weather roads are needed to permit school attendance of additional Indian pupils on a day rather than a boarding basis. The cost of construction and operation of day schools is approximately half that of boarding schools. In addition, the following advantages accrue to the Indian children when they can attend school on a day basis; they remain with their families and have the benefit of parental guidance during their formative years; their parents are encouraged to participate in school affairs thus giving support and more meaning to their education. In keeping with long-time objectives, Federal schools will be transferred to the public school system as rapidly as conditions permit. Readiness of the Indian parents and the community, organization of school districts, and availability of appropriate facilities are determining factors, and the operation of day schools will hasten their development. The building of all-weather road systems on the reservations would therefore result in savings to the Federal Government by promoting the more economical Federal school operations and facilitating the eventual withdrawal of Federal services.

The Bureau of Indian Affairs also has a backlog of need to furnish access roads to Indian forests for the harvesting and protection of Indian timber. The authorizations envisaged by S. 3136 would make it possible to improve the forest roads and thereby benefit forest development and protection which is an important factor in the economic development of the reservation.

A great expansion of industry on the reservations is underway. This takes many forms such as mining, oil and gas, timber, cattle, and farming. The efficient operation of these industries and the full development of their potential require an acceleration of the Indian Bureau road program. Road construction is also essential to the protection, conservation, and management of the natural resources on which these industries are based.

Although the Indian country offers outstanding recreation facilities, they have not been fully utilized for lack of adequate roads. Better roads will result in increased tourist business which is an important source of Indian income.

It is also obvious that the nationwide Federal and State programs for building interstate and other State highways will greatly increase the number of tourists seeking recreation in the pictureque Indian country. This is an important economic opportunity for the Indian people. The Indian Bureau road system furnishes access from the main State highways to these recreation areas.

With respect to park roads and trails and parkways, the amounts set forth in S. 3136 are necessary if we are to make substantial progress on completing the Mission 66 program as to those types of roads. Even if the 1964 and 1965 authorizations are increased to the levels set forth in S. 3136, and appropriations are made at those levels for the balance of the Mission 66 program, there will still remain over \$173 million worth of work to complete national park roads and over \$68 million worth of work to complete national parkways after 1966. The above amounts, of course, take into account the normal increase in scope of the Mission 66 program due to additions, for example, Fort Davis and Fort Smith National Historic Sites, and Cape Cod National Seashore, which have been added to the national park system during the past year.

The new System of Interstate and Defense Highways as authorized under the 1956 Federal-Aid Highway Act is now well underway and each year finds additional units completed which, because of their greater traffic volume, are bringing visitors to the parks, monuments, and parkways in ever increasing numbers. Similarly, increasing authorizations for the primary highways of the United States, \$850 million in 1958 to \$950 million in 1965 as contemplated by S. 3136, result in bringing more and more visitors. The authorizations sought for national park roads and national parkways are necessary, we believe, for us to keep pace with the interstate and primary highways noted above.

Each part of the Federal program depends on the other and the public is very swift and vocal in recognizing deficiencies in any one phase. Our requested authorizations are based on trying to achieve an overall balanced program for the best public service. The authorizations envisaged by S. 3136 are vitally necessary to complete the road systems in the national parks and parkways now authorized by the Congress.

The Bureau of the Budget has advised that enactment of S. 3136 would be in accord with the President's program.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 1, 1962.

HON. DENNIS CHAVEZ,
Chairman, Committee on Public Works, U.S. Senate

DEAR MR. CHAIRMAN: This is in response to your request of April 12, 1962, for the views of this Department on S. 3136, a bill to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

We favor enactment of this bill.

S. 3136 would authorize appropriations for the fiscal years 1964 and 1965 for various highways and roads and trails. It would in addition authorize additional appropriations for forest development roads and trails for fiscal year 1963.

The bill would provide authorizations for forest highways. This Department is interested in the forest highway system since these roads provide primary access to and outlet from the forest development road and trail system. However, the Department of Commerce administers the forest highway system and appropriations for these highways are made to that Department.

The bill also would authorize appropriations for forest development roads and trails. At the present time, forest development road and trail construction and maintenance are carried out with funds appropriated under title 23 of the United States Code, with the 10 percent of national forest receipts made available by section 501 of title 16 of the United States Code, and by purchasers of national forest timber with appropriate allowances therefor in timber appraisals.

An adequate system of forest development roads and trails connecting with forest highways or other highways is essential to proper management and beneficial use of national forest lands and their resources. The presence or absence of transportation facilities has a controlling influence on all phases of forest land management and resource utilization. This factor largely determines the volume of timber that can be marketed, the size, duration, and distribution of timber sales within working circles, and the level of salvage cuttings. It strongly influences the effectiveness of measures for protecting the forests from fire, insects, and diseases. It sets the level of use made of the recreation and wildlife resources of the forests.

Because management of the national forests depends so largely on an adequate system of development roads and trails, the development program for the national forests which President Kennedy submitted to the Congress on September 21, 1961, proposed for the 10-year period 1963-72 the construction and reconstruction of about 79,400 miles of multiple-purpose roads and 8,000 miles of trails. In his conservation message to the Congress on March 1, 1962, the President cited the need to accelerate the development of national multiple-purpose forest roads and trails to implement the 10-year development program.

The additional \$10 million authorization for fiscal year 1963 which S. 3136 would provide is urgently needed to keep the road building program more nearly in pace with other developments and timber harvest operations planned and underway as part of the development program for the national forests. Likewise, the authorizations of \$70 million for fiscal year 1964 and \$85 million for 1965 will be necessary to keep the program reasonably on schedule and provide the access needed to harvest the timber cut projected for these years and to meet critical needs for recreation and fire roads.

Acceleration of the forest development road and trail program represents a wise investment of public money. Roads that give access to national forest timber will pay their way over a period of years through greater stumpage returns and at the same time will facilitate expanded uses. Multiple-purpose roads to be used by the public will result in other substantial community benefits. The existence of a complete road system will permit an intensity of protection, management, and use that is not otherwise possible.

The Bureau of the Budget advises that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

DEPARTMENT OF AGRICULTURE,
Washington, D.C., August 8, 1962.

HON. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
U.S. Senate.

DEAR MR. CHAIRMAN: In our report of May 1, 1962, we recommended enactment of S. 3136. Insofar as it affects this Department, the Provisions of that bill are the same as corresponding provisions of H.R. 12135 which was passed by the House of Representatives on July 18, 1962, and is now being considered by your committee.

We now wish to supplement our previous report to recommend a further increase in the authorization for appropriations for forest development roads and trails for the fiscal year ending June 30, 1963.

The amount which the bills would authorize for forest development roads and trails for fiscal year 1963 was recommended by this Department several months ago. Since that time it has become apparent that additional authorization is urgently needed to finance the construction of forest development roads. The lumber industry is currently faced with local shortages of timber supplies and the lack of access is a contributing factor to this situation. Additional funds for forest development roads and trails will help make it possible to sell the full allowable cut of timber products from the national forests. This can be a significant contribution in giving immediate aid to the lumber industry. At the same time it will accelerate the development of multiple-purpose forest roads and trails and thereby intensify the use and enjoyment of all the resources of the national forests.

The increased authorization would provide for an orderly accomplishment of the annual requirement for an adequate system of forest development roads and trails as planned in the development program for the national forests which President Kennedy submitted to the Congress on September 21, 1961. This plan proposed for the 10-year period 1963-72 the construction and reconstruction of about 79,400 miles of multiple-purpose roads and 8,000 miles of trails.

The importance and urgency of the road phase of the national forest program was reiterated by the President in his March 1, 1962, message on conservation. He specifically recommended approval of legislation to accelerate the development of multiple-purpose forest roads and trails.

In recent months the depressed condition of the lumber industry has come to the forefront and has been the subject of various committee sessions of the Congress and conferences with the executive branch. The need for immediate remedial action was recognized in a White House conference last week in which the President announced a program designed to assist the lumber industry and improve its competitive position. One of the steps outlined by the President was the submission of a request to the Congress for additional funds for forest development roads and trails to assure the prompt harvest of national forest timber.

Acceleration of the forest development road and trail program represents a wise investment of public money. Roads that give access to national forest timber will pay their way over a period of years through greater stumpage returns. Multiple-purpose roads to be used by the public will result in other substantial community benefits. The existence of a complete road system will permit an intensity of protection, management, and use that is not otherwise possible.

The recommended amendment of S. 3136 and H.R. 12135 to increase the authorization for forest development roads and trails for fiscal year 1963 may be accomplished as follows: Page 2, line 18, change "\$10,000,000" to "\$20,000,000".

The Bureau of the Budget advises that with the amendment recommended above the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

CHARLES S. MURPHY,
Acting Secretary.

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
May 25, 1962.

HON. DENNIS CHAVEZ,
New Senate Office Building, Washington, D.C.

DEAR DENNIS: Edward F. Harrington, the mayor of New Bedford, has written me suggesting that the Federal-Aid Highway Act be amended to encourage highway construction in the redevelopment areas and has asked that his proposal be incorporated in the hearings on the highway bill.

I would appreciate it if you could arrange to have his letter printed as part of the hearings on S. 3136 when it comes before your committee for consideration.

Best regards.
Sincerely,

LEVERETT SALTONSTALL,
U.S. Senator.

EXECUTIVE DEPARTMENT,
OFFICE OF THE MAYOR,
New Bedford, Mass., April 26, 1962.

Senator LEVERETT SALTONSTALL,
Senate Office Building, Washington, D.C.

DEAR SENATOR SALTONSTALL: Knowing of your great interest in the Area Redevelopment Act and in New Bedford's efforts to help itself, I am writing to you to call attention to a problem which has a great bearing on the economic development of New Bedford as well as that of many other redevelopment areas.

Many of the redevelopment areas lack adequate highway networks or good connections to centers of population, markets or sources of raw material. This lack is a deterrent for industry or other economic activity to locate in these areas. On the other hand, State highway departments generally assign low priorities to highway projects in redevelopment areas because present traffic is low, the result of the reduced economic activity typical of redevelopment areas. Thus, redevelopment areas are faced with a vicious circle: inadequate highways discourage economic activity which causes low traffic volume, which delays needed highway improvements, which discourages economic activities, etc., ad infinitum.

It seems that one way to break this vicious circle and encourage early construction of needed roads in redevelopment areas would be to give additional Federal aid to such construction. If the Federal Government were to contribute two-thirds of the cost of roads in the A-B-C system in redevelopment areas or within 10 miles of them, instead of the usual half, the various State highway departments would step up their schedules for work in redevelopment areas. This bonus might be limited to roads which will contribute to the area's economic growth and which form part of the area's overall economic development program.

The House Subcommittee on Public Roads will begin hearings on a new Federal-aid highway bill in a few days. I hope that the proposal outlined in this letter can be incorporated in it. It would help New Bedford a lot.

Very truly yours,

EDWARD F. HARRINGTON,
Mayor of New Bedford.

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY,
New York, N.Y., April 17, 1962.

HON. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR SENATOR: I will appreciate it if you will make available to the members of your committee and include in the record of its hearing the enclosed comment on S. 3136, Federal Highway Act of 1962.

Cordially,

ROBERT MOSES, Chairman.

STATEMENT BY ROBERT MOSES, CHAIRMAN, TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

This bill, among other purposes, makes provision for assistance for displaced families and businesses. The objective of this part of the proposed legislation is beneficial and I strongly recommend it.

The relocation of tenants is difficult and time consuming. It often controls and delays progress of construction to a greater extent than planning and actual work in the field. The latter are under the direct supervision of State highway departments. Relocation involves serious inconvenience and financial burdens for those who had the misfortune of living in the way of public improvements, arouses the sympathy of the courts and the press, and presents numerous human problems.

New York City has had extensive experience in relocation of families displaced by construction of highways, schools, playgrounds, health centers, housing, urban renewal, and other public improvements; 15,613 residential and 1,745 commercial tenants were relocated in 1960 and 11,215 residential and 1,528 commercial in 1961.

These families have been moved to decent, safe, and sanitary accommodations with the aid provided by a sustained relocation program under the direction of the appropriate agency. The policy in general is to pay \$100 per room up to a maximum of \$500 and moving expenses to families finding their own new quarters and voluntarily relocating themselves. A tenant relocation and information office is opened at the site and tenants are interviewed to evaluate their needs. Offsite apartments after inspection for compliance with standards are listed for their convenience. Public housing is made available to those with limited income. Tenants making use of the relocation service receive moving expenses and cash payments of from \$50 to \$125, depending upon the circumstances.

The average cost of relocation in either circumstance is about \$400. The program has been invaluable and the public works, housing, and urban renewal programs could not have been accomplished without it. I personally feel that the payments made by the city for voluntary relocation should be doubled. Even larger amounts would be small recompense for the financial distress of families who have to move in the interest of the general welfare.

It is evident from the above that maximums prescribed in section 133(c) are inadequate, do not reflect existing practice, and will not accomplish their intended purpose. I recommend that the limitations be removed.

I also recommend that if the Secretary, as a condition precedent to his approval of contract plans, specifications, and estimates for federally aided highway projects, shall have the power to direct the method of relocation, he review the program and estimated cost of relocation along with other plans and approve it as part of the project cost.

Attached are proposed changes to section 101 and section 133. These will eliminate present ambiguity in phraseology.

The development of a balanced transportation system in metropolitan areas as proposed in section 134 is an exalted goal. It presumably looks to the time when the railroads with their commuter problems, the trucking industry, rapid transit system, public and private bus lines, water carriers, public authorities, owners of passenger cars, the State and Federal Government and the hundreds of political subdivisions; cities, counties, townships, towns, and villages in the States of New York, New Jersey, and Connecticut comprising the New York metropolitan area, put aside local pride, politics, and individual problems and combine their resources for the greater good. The possibility of this is remote and certainly cannot be accomplished in the immediate future.

With respect to section 134 the requirement that the Secretary after July 1, 1965, find that highway projects conform to a comprehensive balanced transportation plan before granting his approval will bring the Federal highway program in New York City to a complete standstill. The reason is obvious and simple. Such a comprehensive plan cannot be completed by that time if indeed it could be in the next decade.

I recommend that the portion of section 134 beginning with line 15 to line 25 be eliminated.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

SEC. 3. (a) Chapter 1 of title 23, United States Code, is amended by revising the definition of the term "construction" in section 101 to read as follows:

"* * * with specifications of the Coast and Geodetic Survey in the Department of Commerce), costs of rights-of-way (including the administrative and other expenses of providing for the relocation of families and relocation payments to * * *.

* * * * *

"§ 133. Assistance for displaced families and business

"(a) The Secretary, as a condition precedent to his approval under section 106 of this title, shall require the State highway department, through an agency or agencies acceptable to the Secretary, to assure that where necessary there is a feasible method for the temporary relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highways, and that decent, safe and sanitary dwellings will be provided for families displaced by the acquisition or clearance of such rights-of-way in areas not generally less desirable in regard to the availability of public utilities and public and commercial facilities at rents or prices within their financial means and reasonably accessible to their place of employment."

NORTH DAKOTA STATE HIGHWAY DEPARTMENT,
Bismarck, March 30, 1962.

Hon. DENNIS CHAVEZ,
*Chairman, Public Works Committee,
Senate Office Building, Washington, D.C.*

DEAR SENATOR CHAVEZ: Enclosed herewith are copies of resolutions adopted by the Mississippi Valley Conference of State Highway Departments at its annual business meeting in Chicago, Ill., on March 17, 1962.

These resolutions pertain to important matters relating to highways and transportation.

The Mississippi Valley Conference of State Highway Departments, consisting of representatives of the highway commissions and departments of the following 14 member States, respectfully requests that you give the enclosed resolutions your serious consideration.

Illinois
Indiana
Iowa
Kansas
Kentucky

Michigan
Minnesota
Missouri
Nebraska
North Dakota

Ohio
Oklahoma
South Dakota
Wisconsin

Sincerely,

R. E. BRADLEY,
Secretary, Mississippi Valley Conference of State Highway Departments.

RESOLUTION

Whereas because of the constantly increasing vehicular registration and mileage traveled on the Nation's highway; and

Whereas deaths and injuries to people and property damage on the Nation's highways is continuing to increase; and

Whereas it is the national interest to reduce death and injury on the highway at the earliest possible date; and

Whereas many States have committed themselves, both legally and morally, to vastly accelerated programs of highway construction in order to carry out the intent of Congress, as expressed in the Federal Highway Act of 1956 that the Interstate System be brought to simultaneous completion in all the States by 1972; and

Whereas several of the States, in order to provide their share of the cost of the Interstate System, must thoroughly review their State highway revenue position, and be in the position of knowing the Federal-aid matching needs; and

Whereas the present curtailment of the program, from the original schedule has caused hardship and serious financial and economic disturbance to the highway industry, including contractors, material suppliers, equipment manufacturers, labor, and trained engineering personnel: Now, therefore, be it

Resolved, That the Mississippi Valley Conference of State Highway Departments in annual meeting assembled in Chicago, Ill., March 15-17, 1962, urges and petitions the Congress to continue to provide adequate financing for continuation of the A-B-C highway system; and for the Interstate System in accordance with the intent of the 1956 act; and be it further

Resolved, That the conference reassures the Congress and the public of the ability of the State highway departments to construct the Interstate System in accordance with the original schedule set forth in the Highway Act of 1956, or at an accelerated rate; and be it further

Resolved, That copies of this resolution be sent to the chairman of appropriate committees and/or subcommittees of the Congress of the United States and Members of Congress from the respective States of the conference.

RESOLUTION

Whereas bills have been introduced in the Congress of the United States (H.R. 2790, H.R. 4466, H.R. 4599, H.R. 5693) that would make it mandatory as a matter of law that bridges crossing the Mississippi between Minneapolis and the mouth of the Illinois River be constructed 10 to 13 feet higher than is presently required, and bridges crossing the Missouri River between Yankton and the mouth near St. Louis be constructed 7½ to 10 feet higher and 100 feet greater horizontal clearance than those which can be economically justified; and

Whereas these bills would require a large additional highway expenditure without producing any appreciable saving in waterway transportation costs; and

Whereas these bills would establish bridge clearances that do not result in minimal transportation costs and are not therefore in the public interest; and

Whereas these bills would establish an inflexibility in the administration of transportation matters contrary to the public interest which requires flexibility; and

Whereas passage of these bills would nullify all of the progress that has been made for more than 10 years in developing an equitable method of determining bridge clearances that is most desirable from an overall national interest viewpoint. Such passage would in fact indicate that the Congress did not wish to have bridge clearances established at heights or horizontal clearances that would result in the lowest possible total transportation cost: Now, therefore, be it

Resolved, That the 1962 Conference of the Mississippi Valley State Highway Departments opposes the passage of these bills and recommends that the determination of bridge clearances be continued to be made by the Corps of Engineers in accordance with general principles now in use and that will result in the lowest possible total transportation cost; and be it further

Resolved, That these general principles now in use generally by the Corps of Engineers to establish bridge clearance be made mandatory by revising the General Bridge Act to include them; and be it further

Resolved, That copies of this resolution be submitted to the members of the Committee on Public Works of the U.S. House of Representatives, to the chairman of each Highway Subcommittee of the Congress and to all Members of the same Congress from the respective States of this conference.

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
February 1, 1962.

HON. DENNIS M. CHAVEZ,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I enclose a copy of a letter from a constituent, together with a copy of my reply.

Since it appears that his problem arises out of legislation under the jurisdiction of your committee, I should appreciate knowing what study your committee has given to this problem. In addition, I should appreciate being advised whether any legislation to remedy this situation has come before your committee in the past.

With kind personal regards, I am,
Sincerely yours,

A. WILLIS ROBERTSON, *Chairman.*

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
February 1, 1962.

MR. NORMAN M. WOODS,
President, Woods Bros. Coffee Co., Inc.,
Roanoke, Va.

DEAR MR. WOODS: I have received your letter explaining the problem with which you will be faced when it becomes necessary to move from your present quarters because of the construction of Spur Route 581.

The whole question of the effect on individuals and business firms, both owners and tenants, of mass land acquisitions by the Federal Government or

under Federal programs is one which has been of concern to this committee for many years, both in connection with our urban renewal legislation and in connection with our small business legislation. Tenants, of course, may be in a much worse position than landlords under these conditions because compensation as such goes to the landlord, and the tenant may in fact be hurt worse by loss of his location and good will. As you know, a number of provisions have been included in legislation to cover moving expenses and the like up to very limited amounts.

Because many of these matters took place in connection with the housing program or the small business program, Senator Sparkman, who is particularly interested in both small business and in housing, introduced a bill last year to establish a Commission on Property Acquisition Compensation which would look into the entire situation and make a report on the matter. This was referred to the Government Operations Committee. The bill received enthusiastic support from the agencies. However, before action was taken on Senator Sparkman's bill, the House Public Works Committee established a Select Subcommittee on Real Property Acquisition in order to make a study comparable in scope to that which Senator Sparkman had proposed. I understand this committee is now making an active study of the general question. I enclose a copy of the press release issued by Senator Sparkman in connection with this matter.

Since your letter illustrates clearly the problem which the select subcommittee is studying, I am taking the liberty of forwarding a copy of it to that subcommittee. In addition, since your questions relate particularly to the road programs, I am also sending a copy of your letter to the Senate Public Works Committee in order to get the views of that committee with respect to the possibility of legislation to provide relief for persons affected by the construction of roads comparable to that given in urban renewal projects.

Your letter illustrates clearly one of the costs of Federal projects to the public which are not reflected in the dollars spent on the project, a cost which is even more deeply felt by the individuals and firms whom the projects may happen to hit, but a cost which is usually overlooked or disregarded in the discussion of the program and the decision to undertake it.

With kind regards, I am,

Sincerely yours,

A. WILLIS ROBERTSON, *Chairman.*

WOODS BROS. COFFEE CO., INC.
Roanoke, Va., January 12, 1962.

HON. A. WILLIS ROBERTSON,
U.S. Senate, Washington, D.C.

DEAR MR. ROBERTSON: Sometime within the next 2 or 3 years we will be forced to relocate our coffee roasting plant due to condemnation of our present quarters for the Spur Route 581 through the southeast section of Roanoke. We lease these buildings, and under present interpretations of the law we have no right to compensation for moving. The cost of moving will be considerable. Estimates up to \$250,000 have been obtained. The present law protects the owner but not the occupants of condemned property.

Under the Urban Renewal Act the lessee is given compensation, but if his quarters are condemned for a road he is not entitled to any damages for removal of his equipment. The Wall Street Journal in its Tuesday, January 9, 1962, issue, estimates that over 4,000 small businesses will be forced to relocate because of public roads and urban renewal. This is certainly an inequity and will force much small business to close. The competitive forces in the market make it increasingly difficult for small business to survive. In our case we have prospered for over 30 years and have been good customers of the IRS but it is doubtful if we can survive a blow of this description.

The State of Maryland, among others, has passed legislation helping dislocated renters of quarters to move. We believe this is within the province of the Federal Government to correct.

Will you use your influence to introduce and help pass legislation correcting these inequities?

Cordially yours,

NORMAN M. WOODS, *President.*

[S. 1110, 87th Cong., 1st sess.]

A BILL To amend the definition of the term "construction" in section 101 of title 23, United States Code, in order to authorize the inclusion of tenant relocation costs in such term.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the definition of the term "construction" in section 101 of title 23, United States Code, is amended to read as follows:

"The term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping (including the establishment of temporary and permanent geodetic monuments in accordance with specifications of the Coast and Geodetic Survey in the Department of Commerce), costs of rights-of-way (including the cost of relocation of building tenants), and the elimination of hazards of railway grade crossings."

[S. 3190, 87th Cong., 2d sess.]

A BILL To amend title 23, United States Code, with respect to the mileage of rural delivery and star routes used as a factor in apportionment of Federal-aid primary and secondary funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) (1) of section 104 of title 23, United States Code, is hereby amended by striking the phrase "at the close of the next preceding fiscal year" and by inserting in lieu thereof "at the close of the next preceding calendar year".

[S. 2982, 87th Cong., 2d sess.]

A BILL To assure decent, safe, and sanitary housing to families displaced by construction of highways forming a part of the Interstate System.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title 23 of the United States Code is amended by adding at the end of chapter 1 thereof the following new section:

"§ 133. Relocation of families displaced by construction of Interstate System

"(a) Each agreement entered into under section 110 after the date of the enactment of this section between the Secretary and a State highway department for the construction of a project on the Interstate System shall contain clauses providing that the State will—

"(1) assure that there are, or are being provided, in areas within the locality of such project not generally less desirable than the area of such project in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of individuals and families displaced by the construction of such project, decent, safe, and sanitary dwellings, equal in number to the number of such displaced individuals and families, which are available to such displaced individuals and families and are reasonably accessible to their places of employment;

"(2) in localities where State or local agencies already administer relocation programs, provide assistance through such agencies in the relocation of individuals and families displaced by the construction of such project; and

"(3) make relocation payments to individuals and families displaced by the construction of such project for their reasonable and necessary moving expenses, not exceeding \$200 in the case of any individual or family.

Any such agreement shall also provide that the Secretary will reimburse the State for the full costs of relocation payments made pursuant to the requirements of paragraph (3).

"(b) There are authorized to be appropriated for each fiscal year such sums as may be necessary to enable the Secretary to fulfill his obligations under agreements entered into under section 110 to reimburse the States for relocation payments to displaced individuals and families made pursuant to the requirements of paragraph (3) of subsection (a)."

(b) The table of contents for such chapter is amended by adding at the end thereof the following item:

"133. Relocation of families displaced by construction of Interstate System."

[S. 2767, 87th Cong., 2d sess.]

A BILL To amend title 23 of the United States Code relating to highways in order to require the approval of the Secretary of the Interior to surveys, specifications, and estimates for projects on the Federal-aid highway systems for the purpose of protecting fish and wildlife and recreation resources.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 106 of title 23 of the United States Code, relating to surveys, plans, specifications, and estimates for the Federal-aid highway systems, is amended by inserting at the end thereof a new subsection as follows:

“(d) (1) All surveys, plans, specifications, and estimates submitted to the Secretary under this section shall be submitted by the Secretary to the Secretary of the Interior, and the Secretary shall not approve any project under this section until the Secretary of the Interior approves the surveys, plans, specifications, and estimates for such project as being satisfactory in the interests of conserving fish and wildlife and recreation resources in the area of the project.

“(2) In order to carry out his functions under this subsection the Secretary of the Interior (A) may conduct such investigations, surveys, and research projects as he deems necessary, and (B) shall consult with and give consideration to the recommendations of the appropriate agencies of the State submitting such project.

“(3) Funds made available under the provisions of section 104(a) for administration and research shall also be available for investigations, surveys, and research carried out by the Secretary of the Interior under this subsection.”

[S. 2780, 87th Cong., 2d sess.]

A BILL To amend title 23 of the United States Code, relating to highways, in order to authorize certain use of the rights-of-way of the National System of Interstate and Defense Highways for passenger rail transit systems in metropolitan areas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of section 111 of title 23 of the United States Code, relating to agreements with respect to the use of and access to rights-of-way for the Interstate System, is amended to read as follows: “Such agreements may, however, authorize a State or political subdivision thereof to use or permit the use of—

“(1) such rights-of-way for passenger rail transit systems in metropolitan areas, or

“(2) the airspace above and below the established gradeline of the highway pavement

if such use will not impair the full use and safety of the highway or require or permit vehicular access directly to or from such established gradeline of the highway, or otherwise interfere in any way with the free flow of traffic on the Interstate System.”

SEC. 2. Upon application, the Secretary of Commerce is authorized to revise any agreement made prior to the date of enactment of this Act to the extent that such agreement relates to the utilization of rights-of-way on the National System of Interstate and Defense Highways to conform to section 111 of title 23 of the United States Code as amended by the first section of this Act.

THE SECRETARY OF COMMERCE,
Washington, D.C., April 16, 1962.

The Honorable the PRESIDENT OF THE SENATE,
The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR SIRs: The Department of Commerce has prepared and submits herewith as a part of its legislative program for the 87th Congress, 2d session, a draft of a proposed bill to amend title 23, United States Code, with respect to the mileage of rural delivery and star routes used as a factor in apportionment of Federal-aid primary and secondary funds.

Existing law stipulates that Federal-aid primary and secondary funds be apportioned partially on the basis of the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural

delivery and star routes in all the States at the close of the next preceding fiscal year, as shown by a certificate of the Postmaster General, which he is directed to make and furnish annually to the Secretary of Commerce (23 U.S.C. 104 (b) (1), (2)).

Federal-aid highway funds are normally apportioned during the midsummer or early fall for the next following fiscal year, but in any event apportionments are required, by the provisions of 23 U.S.C. 104(b), to be made on or before January 1 next preceding the commencement of the fiscal year for which authorized. For example, the apportionment of fiscal year 1963 funds for the A-B-C program was made on October 10, 1961, and the latest such apportionment could have been made was January 1, 1962. This leaves a maximum of 6 months between the controlling date for mileage statistics and the date apportionments are made. Considerable difficulty has been experienced in obtaining the required mileage data for use in these apportionments, particularly when Federal-aid highway funds are apportioned during midsummer, as is most frequently the case. It is proposed, therefore, that the provisions of 23 U.S.C. 104 be amended to allow the use of mileage statistics, for primary and secondary fund apportionment purposes, as of a date 6 months earlier than is now provided.

The enclosed draft bill would provide for an amendment to existing law as herein proposed. The Department of Commerce believes that enactment of this legislation would facilitate apportionment of Federal-aid primary and secondary funds computed on mileage data which may be obtained reasonably in advance of such apportionment without affecting the rationale upon which such funds are apportioned.

The Department of Commerce recommends the proposed legislation for the favorable consideration of the Congress.

We have been advised by the Bureau of the Budget that there would be no objection to the presentation of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

EDWARD GUDEMAN,
Under Secretary of Commerce.

A BILL To amend title 23, United States Code, with respect to the mileage of rural delivery and star routes used as a factor in apportionment of Federal-aid primary and secondary funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) (1) of section 104 of title 23, United States Code, is hereby amended by striking the phrase "at the close of the next preceding fiscal year" and by inserting in lieu thereof "at the close of the next preceding calendar year".

Senator McNAMARA. We have invited representatives of the interested executive agencies to present their views on H.R. 12135 and some of the other bills before this subcommittee and to bring us up to date on the progress being made on the so-called A-B-C system of Federal-aid highways.

We will begin with the Honorable Rex Whitton, Federal Highway Administrator.

We are very glad to have you here again, Mr. Whitton.

Mr. WHITTON. Thank you, Mr. Chairman. May I have Mr. Frank Turner come up with me, please?

Senator McNAMARA. Yes, you may have whoever you like with you. We are glad to see Mr. Turner again; he has been very helpful to the subcommittee in the past and I am sure he will be today. We welcome both of you here.

Mr. WHITTON. Thank you, sir. Senator Chavez, Mr. Chairman, and Senator Randolph, I have a presentation here which I would like to skip through if I may but submit the entire statement for the record.

Senator McNAMARA. Without objection, the complete statement will be included in the record at this point.

Mr. WHITTON. Thank you, sir.

(The prepared statement of Rex M. Whitton, Federal Highway Administrator, Bureau of Public Roads, Department of Commerce, reads in full as follows:)

STATEMENT OF REX M. WHITTON, FEDERAL HIGHWAY ADMINISTRATOR, BUREAU OF PUBLIC ROADS, DEPARTMENT OF COMMERCE

Mr. Chairman and members of the committee, I am pleased to appear before you to present the views of the Department of Commerce on H.R. 12135, the proposed Federal-Aid Highway Act of 1962, which was passed by the House of Representatives on July 18, and on S. 3136, introduced by Senator McNamara and based on draft legislation submitted to the Congress on April 6, 1962, designed to implement certain of the recommendations contained in the President's message on transportation.

This message was submitted to the Congress on April 5, 1962 (H. Doc. 384, 87th Cong., 2d sess.). The purpose of S. 3136, which is identical to the administration's draft proposal, is to provide authorizations for the Federal-aid A-B-C highway program, as well as for other direct Federal highway programs and to carry out specific recommendations of the President made in his transportation message.

The Federal Highway Act of 1960 (74 Stat. 522) authorized the appropriation of funds for the Federal-aid primary and secondary highway systems and extensions thereof within urban areas for the fiscal years 1962 and 1963 in the amount of \$925 million for each year. Funds authorized for the fiscal year 1962 were apportioned to the States in 1960, and the final apportionment of funds authorized for the fiscal year 1963 was made by the Secretary of Commerce, effective October 10, 1961.

Since all authorized funds for the A-B-C highway program have been apportioned, it is necessary that the Congress give consideration during this session to the enactment of legislation making annual authorizations for the fiscal years 1964 and 1965 for continuation of the construction of these highways.

In his special message to the Congress on the highway program of February 28, 1961 (H. Doc. 96, 87th Cong., 1st sess.) the President recommended that the authorizations for the regular A-B-C program be increased by \$25 million every 2 years beginning in 1964 until a \$1 billion level is reached and maintained.

Section 2 of S. 3136 would authorize funds for the Federal-aid primary and secondary systems and extensions thereof within urban areas in the amount of \$950 million for each of the fiscal years 1964 and 1965. This represents an increase of \$25 million over the authorization level for the 2 previous fiscal years and is in accordance with the recommendations made by the President in 1961.

This increase in the authorization for the A-B-C program is considered necessary for its orderly continuation consistent with the national interest expressed in section 101(b) of title 23, United States Code. It is also in line with the increased authorizations provided for the Interstate System under section 103 of the Federal-Aid Highway Act of 1961 (75 Stat. 122).

Authorizations for the A-B-C program proposed by H.R. 12135 for the fiscal year 1964 would amount to \$950 million, an increase of \$25 million over the \$925 million authorized for fiscal year 1963. For the fiscal year 1965, however, there would be a further increase to \$975 million, or \$50 million over the fiscal 1963 level. I will refer again to this proposal for the A-B-C program in a later portion of this statement.

Under the provisions of both S. 3136 and H.R. 12135, \$33 million would be authorized for the forest highway program for each of the fiscal years 1964 and 1965, the same amount authorized by the 1960 act for fiscal years 1962 and 1963.

With respect to public lands highways, the bills would continue authorizations for fiscal years 1964 and 1965 at the \$3 million level previously authorized for fiscal year 1963.

We consider that the sums proposed by this legislation are essential to maintain these programs at an appropriate level.

Other highways for which the bills provide—forest development roads and trails, national park roads and trails, national parkways and Indian reservation roads, as well as a proposed new category to be known as public land development roads and trails—are under the primary jurisdiction of other de-

partments of the Federal Government. Therefore, we offer no comment with respect to these programs and their proposed authorizations under the bills.

I will turn now to the specific recommendations of the President for amendments to the Federal-aid highway legislation made in his recent and timely message on transportation, a subject vital to the interests of the entire country.

One of these recommendations, concerning relocation assistance for those displaced as a result of Federal-aid highway construction, is not entirely new. The President had referred to this problem in his special message on highways of more than a year ago.

On the matter of displacement of families, the President mentioned his previous message and stated that: "To move toward equity among the various federally assisted programs causing displacement, I recommend that assistance and requirements similar to those now applicable to the urban renewal program be authorized for the Federal-aid highway program * * *"

Section 3 of S. 3136 now under consideration by this committee, would implement this recommendation. The Secretary of Commerce would be authorized to require assurances by the State highway departments of feasible relocation methods and availability of suitable dwellings, and to approve Federal-aid participation in State relocation payments, with specified limitations, for reasonable and necessary moving expenses and actual property losses not otherwise compensated.

The limitations on relocation payments would be—

- (1) \$200 in the case of an individual or family; and
- (2) \$3,000 in the case of a business concern or nonprofit organization (or if greater, the total certified actual moving expenses).

These provisions are designed to alleviate severe hardships to families and businesses displaced as a result of Federal-aid highway construction.

We estimate that about 15,000 families and 1,500 businesses will be displaced each year in the next 6 to 8 years by the completion of the Interstate System alone. Under existing Federal-aid highway legislation, no provision is made for those displaced. The circumstances of these displacements, therefore, are unfavorable especially when considered in the light of those occurring under the federally assisted urban renewal program, which displaces around 30,000 families and 4,000 businesses annually. When families are required to move and give up their homes to permit the construction of a public improvement, they should not be forced into housing less desirable than that from which they are removed. It is only fair and proper that they should have the opportunity of occupying decent, safe, and sanitary housing that is within their financial means, and in reasonably convenient locations. Moreover, they should be afforded assistance where necessary in order to minimize the hardships involved in finding a suitable dwelling.

While it is true that the primary purposes of the Federal-aid highway program do not include actual improvement of substandard living conditions, we perceive no objection in principle to such improvement as an incidental result of public construction such as the highway program. Indeed, the concept of economic improvement by reason of public works construction would appear to go hand in hand with that of social progress.

Moreover, the consideration of a highway program as including relocation assistance and payments is not unique. In enacting the Federal-Aid Highway Act of 1956, the Congress recognized that utility relocation payments made by the States in connection with Federal-aid highway construction are properly a part of the cost of highway construction to be paid from the highway trust fund.

Increasing concern is being given to the problems of those displaced from their homes and businesses by Federal or federally aided construction programs. In fact, in recent years, the trend has been toward special consideration of those displaced, both on the Federal level and on the State level as well. Seven States have enacted legislation requiring some form of relocation assistance, all but one of which applies to businesses as well as to residences. In at least one State the maximum assistance payments in most categories are higher than those provided under S. 3136. Also, about a dozen other States which have no specific statutes on the subject make payment for moving or related costs under varying conditions as a result of jury awards, constitutional interpretation, or administrative action of the State highway department. We believe that enactment of section 3 of S. 3136 will insure this desirable legislation in all States, thus affording equitable treatment to our citizens most directly and immediately affected, from a personal standpoint, by highway construction.

A program of relocation assistance and payments is a logical extension of the right-of-way program. Property owners are compensated for property actually taken for right-of-way purposes, but they must vacate their property and move at their own expense. Much of the land needed for rights-of-way is occupied by families and businesses who rent or lease. They also must bear the expense involved in moving to accommodate a public improvement. This represents a serious financial burden—and in the case of a business may pose a threat to the ability to continue in operation, particularly in the case of small, single-location business establishments.

It is not difficult to visualize the far-reaching results of massive removals of urban families and businesses from their accustomed places, without the tempering effect of an orderly, statutory program of relocation assistance and payments. The families and businesses involved often undergo not relocation, but dislocation. It would be hard to calculate the dollar amount lost by unassisted wage earners and businessmen during the time required to search for a new location, not to mention the continuing losses suffered when in order to avoid further immediate monetary loss, the first available location must be accepted whether suitable or not. Indirectly, the economic results of such an unrelieved major dislocation within an urban area upon the relevant housing, labor, and consumer markets of that community may well operate to offset the substantial economic benefits which the highway project was originally intended to produce.

We believe that these potential losses, direct and indirect, private and public, can be minimized or eliminated by a workable program of relocation assistance.

We have made some estimate of the cost of this proposed new relocation assistance program. Based on the limits of payment set by the bill, its cost derived from data provided by the States themselves, would be approximately \$75 million from the highway trust fund to the end of the program in 1972. Considering the importance of achieving the objectives I have discussed. I do not believe the cost to be unreasonable nor of such magnitude that the program cannot accommodate it. The Housing and Home Finance Agency has advised us that under the urban renewal program an average relocation payment of about \$65 is paid to families and about \$1,150 to businesses. If these amounts, instead of the authorized maximums, are experienced, the actual cost would then be about one-third of the above amount.

In his message on transportation, the President also recommended "that the Federal-aid highway law be amended to permit more extensive use of Federal-aid secondary funds for extensions of the secondary system in urban areas." Certain States are finding it increasingly difficult to improve the extensions of the Federal-aid secondary system into urban areas because of the higher priority for the use of available urban funds for arterial street improvement in these urban areas. This causes a particular hardship in the outlying sections of the larger urban areas where there is rapid suburban expansion, and in smaller cities where the urban extensions of secondary routes do not carry a sufficiently large volume of traffic to merit high priority on available urban funds.

As a result, in many cases secondary routes are improved up to the urban limits, and urban funds are not available for their improvement within these urban limits to provide an integrated system of improved highways.

Section 6 of S. 3136, relating to extensions of the Federal-aid secondary system into urban areas, is designed to implement the foregoing recommendation. It would remove the present limitation on Federal-aid financing of such extensions, now under certain conditions restricted to urban funds.

This provision would permit increased flexibility in financing improvements on Federal-aid secondary routes within urban areas and, if enacted, would promote an integrated system of improvements in such areas. We believe that it would be particularly helpful in certain States that contain many individual and grouped urban areas, and where, in practice, the transfer of funds from primary or secondary apportionments to the class of urban funds for the purpose of improving extensions of secondary routes within urban areas has not been adequate under the provisions of section 104(c) of title 23, United States Code.

Another of the President's recommendations relates directly to highway projects in metropolitan areas.

A major objective of national transportation policy in the use of Federal assistance programs is to encourage and facilitate the development by States and local communities of balanced transportation systems consistent with long-range comprehensive development plans.

To effect this objective expeditiously, we believe that the recommended modification of the basic Federal-aid highway legislation, as contained in section 7 of S. 3136 is highly desirable. The Secretary of Commerce would be granted authority to cooperate with the States in the development of long-range highway plans and programs for metropolitan areas which would form integral parts of a total transportation system for those areas.

This section would require, as a condition to the approval of a highway program involving a metropolitan area, that State and local agencies undertake transportation planning on a continuing basis. By encouraging balanced transportation planning, we believe that the quality of general metropolitan planning would be improved.

Enactment of a provision along these lines is believed timely in view of the increased emphasis being given to long-range planning and programing by the Bureau of Public Roads and the State highway departments in connection with expenditures of Federal-aid highway funds. It would require the States and their metropolitan areas to adopt a process of planning already demonstrated by trial to be feasible and effective. The experience of the Bureau of Public Roads in the highway transportation field could be utilized to the advantage of all levels of government concerned.

Moreover, the proposed requirement would place the Federal-aid highway program in a position with respect to planning comparable to the urban transportation program of Housing and Home Finance Agency, and thus strengthen the coordinated approach to urban transportation development already informally established by the two agencies.

Its enactment would in no way delay the current Federal-aid highway program. Reasonable time would be allowed for the States and local communities to establish the continuing planning process that would be required, and to produce the plans to which their highway systems would conform. The cooperative working arrangements undertaken by the Bureau of Public Roads with States and localities in the area of transportation planning will permit the Federal guidance and leadership necessary to achieve the objective of sound and uniform transportation planning in metropolitan areas.

The President has referred in his transportation message to another important phase of coordinated transportation planning for metropolitan areas through the use of funds made available under both Federal highway and housing legislation. He has recommended "that the Federal-aid highway law be amended to increase the percentage of Federal funds available to the States for research and planning."

Provisions of existing law regarding the use of Federal-aid highway funds apportioned to the States for planning and research purposes would be revised significantly under section 8 of S. 3136. Generally, the amount of such funds for highway research would be increased, all highway planning and research funds would be matched by the States and, if not so used, would lapse.

At present, under section 307(c) of title 23, United States Code, not to exceed 1½ percent of all Federal-aid funds apportioned to the States for any fiscal year may be used upon the request of the State highway department, with the approval of the Secretary of Commerce, for certain highway planning and research projects. Although it has been the policy of the Bureau of Public Roads to encourage the States to match such funds, the law now provides that such funds are available with or without State matching funds.

We believe that the language defining the scope of highway research and planning projects which may be undertaken pursuant to section 307(c) is sufficiently flexible to cover any reasonably foreseeable highway planning or research project needed in connection with the Federal-aid highway program. However, the Bureau of Public Roads and the Department of Commerce have had under consideration for some time the need for expanding the dollar volume of highway research activities undertaken by or through the State highway departments with the aid of Federal funds.

In order to stimulate additional highway research activities in the Federal-State cooperative area, an additional one-half of 1 percent would be made available for highway research purposes from funds apportioned to the States for the A-B-C program. Interstate funds would be involved only with respect to

the 1½-percent allocation but not the additional one-half of 1 percent. This additional one-half of 1 percent, together with State matching funds, would amount to almost \$10 million annually. This sum would be in addition to the present 1½ percent which is currently being used for both highway planning and highway research.

We also recommend that the present law be amended to require that these funds, both the 1½ percent now authorized and the proposed additional one-half of 1 percent, be matched by the States in accordance with the applicable State matching requirements of section 120 of title 23, United States Code; that is, funds deducted from Interstate System apportionments would be matched generally on a 90-10 basis and A-B-C funds on a 50-50 basis. An exception to this matching requirement may be made where the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

As an additional incentive toward use of these funds for planning and research purposes, S. 3136 provides that planning and research funds derived from funds apportioned for the A-B-C program shall lapse in the same manner as construction funds if not obligated for the purposes of section 307(c). Any moneys derived from interstate funds, however, would be reapportioned for planning and research purposes as provided under 23 U.S.C. 118(b) for construction funds.

I wish to turn at this time to a more detailed discussion of the provisions of H.R. 12135 which, as you know, passed the House of Representatives on July 18. This bill is similar in many respects to S. 3136. However, there are also some significant differences between the two bills.

Section 2 of H.R. 12135 contains authorizations for appropriations for the fiscal years 1964 and 1965 for the A-B-C program, the forest highway program, and for public lands highways, as well as for other Federal road programs.

The only difference on amounts authorized for these fiscal years has already been noted—that H.R. 12135 would authorize an amount of \$975 million for the Federal-aid A-B-C program for fiscal year 1965 whereas the administration bill, S. 3136, would provide \$950 million, a level in keeping with the President's recommendation for this program that such authorizations be increased every 2 years until a \$1 billion level is reached. The net effect of annual increases of \$25 million in the A-B-C authorizations, beginning with fiscal 1964 and continuing until a \$1 billion annual level is reached for fiscal 1966, would be to increase the total authorizations of A-B-C funds by \$75 million during the trust fund period, of which \$25 million would be authorized by H.R. 12135 and \$50 million would result from continuing the annual increases for fiscal 1966 and 1967. Such additional authorizations would increase expenditures from the trust fund by a like amount.

One of the most important differences in the two bills is found in section 3 relating to assistance for families and businesses displaced as a result of Federal-aid highway construction.

Under H.R. 12135, a State highway department would be required only to give satisfactory assurance that relocation advisory assistance shall be provided for the relocation of families displaced by Federal-aid highway construction prior to the approval by the secretary of the project. This is a substantial weakening of the administration bill, S. 3136, which would require assurances by the State highway department of feasible relocation methods and the availability of suitable dwellings meeting specified standards.

The language of S. 3136 on this point is similar to that of the statute now in effect with respect to the urban renewal program. The President clearly recommended that assistance and requirements similar to those now applicable to the urban renewal program be enacted both for the Federal-aid highway program and for the proposed new urban mass transportation program. It is only reasonable that such federally assisted programs be on a closely comparable if not identical basis, since they will often be administered together by one agency particularly in larger cities, the provision for which is in the bill. A person affected by one program should surely be accorded the same assistance and consideration as his friend or neighbor affected by another such public program.

In addition to providing substantial equality of treatment for those so affected, section 3 of the administration bill can reasonably be expected, after a period of adjustment, to expedite the progress of the Federal-aid highway programs in urban areas. Some delays on individual Federal-aid projects in these areas have

resulted from the social circumstances which necessarily surround proposed large-scale dislocations of people, as in the case of the east leg of the inner belt here in Washington. An orderly relocation program as proposed in S. 3136, far from being a sole cause of delay and stoppage, may well operate to diminish such delay and stoppage by alleviating the adverse social circumstances which produce them. We feel that whatever difficulties that may initially exist can be worked out satisfactorily, and that in the long run, the highway program will be carried forward without the hardships to families that otherwise may have occurred.

With respect to the relocation payments themselves, each of the bills would provide the same amount, \$200, as a maximum limit on payments to an individual or a family. For business concerns or nonprofit organizations, the limit under H.R. 12135 would be \$3,000, while under S. 3136, the \$3,000 limit could be exceeded, based on total certified actual moving expenses.

In summary on this subject, we recommend that the Congress enact relocation assistance legislation based on S. 3136, rather than H.R. 12135. We believe it to be in the interest of the Federal Government that all persons required to move because of federally assisted programs be accorded equitable attention and benefit.

Sections 4 and 5 of H.R. 12135 relate to the new category of Federal domain roads to be known as public lands development roads and trails. The provisions are similar, although not identical, to sections 4 and 5 of S. 3136. Since these roads would be under the jurisdiction of the Department of the Interior, the Department of Commerce offers no comment on this subject.

Section 6 of H.R. 12135 concerns the use of Federal-aid secondary funds in urban areas and is substantially the same as section 6 of S. 3136.

On the subject of transportation planning in urban areas, section 7 of H.R. 12135 would limit the applicability of transportation planning requirements to urban areas of more than 50,000 population, while section 7 of S. 3136 applies to all metropolitan areas, without specifying size. It is in the larger urban areas, where the population exceeds 50,000, that the planning problem is most critical. We have no objection, therefore, to this change.

This population figure has raised some question as to whether this coordinated planning effort must be confined only within the jurisdictional boundaries of a city of more than 50,000 people. Obviously, if we are to make this process the comprehensive approach that is called for later in section 7, we must include the entire built-up area. The definition of "urbanized area" as used by the Bureau of the Census seems to fit our situation very well. It includes the city and the built-up fringe, if the population of the central city is 50,000 or more—or in some cases twin cities, whose total population exceeds 50,000, such as Champaign-Urbana, even though neither city is as large as 50,000. The Bureau of the Census has published the 1960 population figures for urbanized areas, and that list might well be accepted for our purposes.

However, the remaining language of section 7 of H.R. 12135 is inconsistent with that proposed in S. 3136 and could fall short of accomplishing the objectives sought by the President's recommendations. Not only should transportation planning encompass the transportation system as a whole, but it must also be a part of broader systematic land use and development planning. It was in recognition of the influence of highway development, not only on overall transportation requirements, but also over the broad development process at work in all aspects of urban planning that the administration proposes that highway development be consistent with comprehensive development plans being formulated in our major urban areas. Furthermore, adequate comprehensive development plans are not limited to particular documents developed at some specific point in time, but must also recognize the continuing nature of the planning process.

One of the major recommendations in the report on urban transportation, prepared jointly by the Department of Commerce and the Housing and Home Finance Agency, was that Federal aid for urban transportation facilities should be made available only when urban communities have prepared or are actively preparing up-to-date general plans for the entire urban area which relate transportation plans to land use and development plans.

S. 3136 also incorporates the concept of "balanced" transportation systems which is not present in the language of H.R. 12135. I believe that some clarification as to the intent of this wording would assist in dispelling confusion that may exist as to its meaning. It is our interpretation that providing "balanced systems" is recognition that financial resources and land space available to meet

total transportation needs are limited and that only overall development plans will assure that existing and proposed facilities of each and all modes are not excessive to the total transportation requirements of a particular community. Within this limitation each mode would be developed to meet the needs for which it is peculiarly suited, and the combined transport facilities will thus maximize progress toward desired community development.

The next section of H.R. 12135 is new and has no counterpart in S. 3136. It is a technical improvement of section 104 of title 23, United States Code, concerning apportionments of Federal aid primary and secondary funds. We believe its enactment would assure that appropriate mileage data are available sufficiently in advance to enable timely apportionment of these Federal-aid funds to the States.

On the matter of highway planning and research funds, section 9 of H.R. 12135 is significantly different from the corresponding section of S. 3136. As pointed out earlier in this statement, one of the most important objectives of the Department of Commerce proposal on this subject is to expand the volume of highway research activities. In order to accomplish this, it was proposed to require that one-half of 1 percent of a State's apportioned A-B-C funds be used for highway research only—if not so used, these funds would lapse. Under H.R. 12135, however, the use of this additional one-half of 1 percent by the States would be merely permissive. It could be used for both highway planning and research, and, if a State did not elect to so use such funds, they could be used for construction purposes. Thus, we do not feel that the House-passed measure would fully meet the objective of expanding highway research to meet current needs.

It should be noted that both bills would make mandatory the use of 1½ percent of apportioned funds only for highway planning and research, unlike existing law, and would require that these funds, as well as the additional one-half of 1 percent funds, be matched by the States, unless the Secretary determines that interests of the Federal-aid highway program would be best served without such matching.

In conclusion on the subject of the Federal-Aid Highway Act of 1962, the Department of Commerce and the Bureau of Public Roads urge the enactment of legislation based on S. 3136, the administration-sponsored bill. Such an enactment would be in accord with the program of the President, and it would further the objectives of the administration in the field of highway transportation, particularly those phases bearing on urban highway transportation problems.

As already indicated, H.R. 12135 contains certain modifications which are acceptable to the Department of Commerce and the Bureau of Public Roads. We wish to emphasize, however, that we would recommend the committee's favorable action on the approach taken in section 3 of S. 3136 on the subject of relocation assistance, and in sections 7 and 8 thereof on transportation planning in urban areas and on highway planning and research funds respectively.

Also pending before this committee at the present time are three bills, S. 2529, introduced by Senator Holland; S. 2907 and S. 3590, introduced by Senator Chavez. These bills would authorize appropriations for the completion of the Inter-American Highway, and for the completion of the Rama Road in Nicaragua.

S. 2907 would authorize the sum of \$850,000 to be appropriated to the Department of State for the Rama Road, with the survey and construction work to be performed under the general supervision of the Secretary of Commerce, acting through the Bureau of Public Roads.

The project statement and memorandum of understanding for the Rama Road, entered into between the Bureau of Public Roads and the Government of Nicaragua to execute the terms of the governing legislation, provides for the construction of a road between San Benito and Rama to mutually acceptable standards. While the United States is obligated to bear the entire cost of construction under this agreement, Nicaragua has nonetheless expended approximately \$4.8 million on this project.

The authorizations available to date are expected to be sufficient to complete the road up to the Siquia River, including a bridge over that river, leaving a final 5 miles of highway to Rama remaining to be built. The general increasing trend in prices and the more difficult construction problems encountered in the dense rain forests toward the Atlantic coast of Nicaragua have both contributed to exceeding the basic estimate for completion, made several years ago, which then covered some 19 miles and 6 bridges. It is now estimated that an additional authorization and appropriation of \$850,000 will be needed to

complete the road in accordance with the agreement with Nicaragua. This is the amount provided for in the budget for the fiscal year ending June 30, 1963.

We believe that this authorization will permit completion of, and realization of, the full value of our \$14.5 million investment in this important 155-mile road linking the Inter-American Highway and the east coast river port of Rama.

S. 2529 would authorize the additional sum of \$28 million for the purpose of completing the construction of the Inter-American Highway. Such sum would be expended in accordance with the provisions of section 212 of title 23, United States Code, which provides, among other things, for continuing cooperation between the United States and the countries concerned in the survey and construction of this important highway, and for agreements relating to its maintenance and use.

S. 3590 also makes authorizations for this purpose, but in the increased amount of \$32 million and upon the condition that the authorization shall not be obligated until an adequate provision for maintenance is achieved.

Since 1930 the United States, acting through the Bureau of Public Roads, has been assisting the Central American Republics and Panama in the construction of the Inter-American Highway, which extends 3,142 miles from Laredo, Tex., to Panama City. The 1,587-mile section in Mexico was completed entirely by the Mexican Government. Additional sections in each of the other countries have been completed by those countries; however, large sections have been undertaken with the assistance of the Bureau of Public Roads.

This work has been done under the provisions of section 212 of title 23, United States Code, whereby two-thirds of the cost is financed by the United States on a matching basis with the cooperating countries. As of June 30, 1962, approximately \$470,000 of construction funds from prior appropriations remain unobligated, and it is anticipated that this amount will be fully utilized during the fiscal year. With the expenditure of these remaining funds, the highway will be opened to an all-weather standard throughout its entire length, but will require additional grading, drainage, and paving projects to bring it up to the proposed standard.

The construction work to be done includes paving in Guatemala, Nicaragua, Costa Rica, and Panama; widening of substandard sections, and heavy retaining wall and revetment work through the unstable mountainous terrain of Guatemala and Costa Rica; and completion of the grading, drainage, base, bridges, and paving of the Guabala-Santiago cutoff in Panama. After the conclusion of this work, the responsibility of the Bureau of Public Roads for completing the construction of the Inter-American Highway will be terminated.

It is estimated that \$32 million as provided by S. 3590 will be needed to finance the U.S. share of the cost of completing the Inter-American Highway, conditioned on assurance of adequate maintenance, while the amount authorized by S. 2529 is \$28 million.

Some of the largest increases in the cost of completing the highway have been due to inadequacy or lack of maintenance in many of the countries affected. Therefore, we believe it is in the best interest of the United States to participate in maintenance of the highway during the first 5 years, both in initial financial help and in providing expert technical assistance where needed in order to protect our large investment. As a practical matter, a majority of the countries concerned have been unable to maintain the completed portions of the highway, despite the existence of agreements providing for full maintenance by the countries concerned.

Participation to assure adequate maintenance can best be accomplished by the establishment of an Inter-American Highway Authority as proposed in the June 1960 report of the International Road Federation, made at the specific request of the Public Works Ministers of the Central American Republics and Panama. The highway authority membership would include the United States and the Republics of Guatemala, El Salvador, Nicaragua, Honduras, Costa Rica, and Panama. The United States would contribute 50 percent of the cost of operating this authority for the first 5 years with the remaining 50 percent to be borne by each of the Central American Republics in proportion to its share of the highway mileage. It is anticipated that such assistance will result in a fully stabilized highway with increasing traffic, economy, and tax revenues for the Republics which will assure their assumption of the maintenance responsibility guaranteed by original agreements. The U.S. share of maintenance costs under such an arrangement could be financed through foreign aid funds.

While the amount to be authorized by S. 2529, \$28 million, would permit continuation of needed construction on the Inter-American Highway, it would not be sufficient to complete the highway to the necessary degree. We recommend, therefore, that the amount of \$32 million be substituted in S. 2529 for the amount of \$28 million in order that sufficient funds will be available to complete the needed construction.

Since the amount of \$32 million is predicated on there being positive assurance of adequate maintenance, we also recommended that S. 2589 be amended to provide that the \$32 million authorization for completion of the highway shall not be obligated until some adequate provision for maintenance is achieved.

If S. 3590 is enacted, or if S. 2529 is amended in accordance with our recommendations, and necessary maintenance arrangements are achieved, we feel that this essential international highway system can be completed under circumstances which will, in the long run, be mutually advantageous to the United States and to all the participating countries.

I appreciate this opportunity to discuss these pending bills with you. We would also like to submit to the subcommittee material, including charts and tables, on the status and progress of the Federal-aid highway program.

STATUS AND PROGRESS OF THE FEDERAL-AID HIGHWAY PROGRAM

We are pleased to advise you again that the highway program is on schedule in relation to the revenues available in the highway trust fund. Revenues accruing to the fund since July 1, 1956, have totaled \$13.903 billion, and expenditures have totaled \$13.433 billion. On June 30, 1962, the balance in the highway trust fund was \$470 million.

The status of improvement of the Intersate System as of June 30, 1962, is shown on the attached map and summarized by States in the attached table 1.

A total of 12,550 miles of the Interstate System has now been improved and open to traffic, as shown in figure 1, representing an increase of 1,725 miles during the past year. This total mileage improved and open to traffic includes 8,026 miles improved with Interstate funds, 2,223 miles improved with other public funds, and 2,301 miles of toll roads incorporated in the system as authorized by the 1956 legislation.

In addition to the sections open to traffic, 4,801 miles of the Interstate System were under construction on June 30, 1962, and engineering or right-of-way acquisition were underway on 10,927 miles. Thus on June 30, 1962, some form of work was completed or underway on 28,278 miles or 69 percent of the 41,000-mile Interstate System. Work was not yet started on 12,722 miles.

Interstate projects totaling \$6.7 billion have been completed since July 1, 1956. The completed projects include construction contracts at a total cost of \$5.6 billion and engineering and right-of-way acquisition totaling \$1.1 billion.

Interstate projects underway or authorized on June 30, 1962, totaled \$6.8 billion. The work underway included construction contracts totaling \$4 billion and engineering and right-of-way acquisition totaling \$2.8 billion.

We have now reached the one-third point in authorizations for completion of the Interstate System. As shown on table 2 covering work authorized through June 30, 1962, preliminary engineering work has been authorized covering 59 percent of the total program. About 49 percent of the right-of-way acquisition work has been authorized. Contracts have been advertised on 30 percent of the work. In total, the work authorized to date represents 34 percent of the total cost of the Interstate System as developed in the 1961 estimate.

The status of active and completed projects financed from Federal-aid interstate funds is shown by States in the attached table 3.

For the A-B-C program, including the program financed from the special funds authorized by section 2(a) of the Federal-Aid Highway Act of 1958, projects have been completed since July 1, 1956, at a total cost of \$9.6 billion. The completed projects include over 137,000 miles of construction contracts, at a total cost of \$9 billion, and engineering and right-of-way acquisition totaling \$633 million.

A-B-C projects were underway or authorized on June 30, 1962, totaling \$3.5 billion. The work underway included over 25,800 miles of construction contracts at a total cost of \$3.1 billion and engineering and right-of-way acquisition totaling \$490 million.

The status of active and completed projects under the A-B-C program is shown by States in the attached table 4.

At this time, I would like to give the committee a brief final report on the emergency program financed from the special funds authorized by sections 2(a) and 2(e) of the 1958 act. The work financed from these funds has been completed for some time and all except a few projects have been closed out.

As an antirecession measure to aid the economy, relieve unemployment, and provide needed highway improvements, section 2(a) of the Federal-Aid Highway Act of 1958, approved April 16, 1958, authorized an additional \$400 million of special Federal-aid highway funds ("D" funds) for the fiscal year 1959, to be apportioned to the States using the same formulas prescribed for primary, secondary, and urban highway funds. These funds were available to the States on a two-thirds Federal and one-third State matching basis, without stipulation as to the amount to be expended on either the Federal-aid primary or secondary highway systems. Projects financed from these funds were required to be awarded to contract by December 1, 1958, for completion by December 1, 1959. Section 2(e) of the act authorized \$115 million as repayable advances ("L" funds) to assist the States in meeting up to two-thirds of the requirements for State matching funds, provided that the amounts so used by the States were to be repaid later by deduction from subsequent fiscal year apportionments of A-B-C funds.

Under this special program, Federal-aid primary, secondary, and urban highway projects financed at a total cost of \$618 million were placed under contract within a period of 7½ months from date of authorization of the funds, in addition to and without delay to the regular A-B-C and interstate programs. The projects provided 12,110 miles of highway improvements, including 2,075 miles of grading and drainage or low-type surfacing, 2,166 miles of intermediate-type surfaces, 7,824 miles of high-type surfaces, and 1,330 bridges over 20-foot span having a combined total length of 45 miles.

A total of \$102 million of "L" fund repayable advances were used by the States in matching the special "D" funds. These advances have been repaid in full by deductions from the 1961 and 1962 fiscal year apportionments of A-B-C funds. Three States elected not to utilize repayable advances, and there were no deductions from 1961 and 1962 apportionments in those cases.

Details of this special program are shown by States in table 5.

The Federal-aid highway program is being advanced at the maximum level that can be supported from revenues accruing to the highway trust fund. The 1963 fiscal year apportionments made last August included the A-B-C apportionment of \$925 million and an interstate apportionment of \$2.4 billion as authorized by the 1961 act.

Reimbursable obligation controls (contract controls) have been continued in order that trust fund revenues will be adequate to reimburse the States promptly for work done. The schedule for the fiscal year ending June 30, 1963, provides for reimbursable obligations totaling \$3.794 billion during the year. This schedule has been made available to the States in equal quarterly installments of \$948.5 million each. The first quarter schedule was released effective June 14, 1962, and the second, third, and fourth quarter schedules have been released effective as of the beginning date of each quarter.

The program for completion of the Interstate System as authorized by the Federal-aid Highway Act of 1961 is shown in figure 2.

Under this authorized program the interstate apportionments total \$37 billion. It is expected that an interstate apportionment of \$2.6 billion will be made this summer for the fiscal year 1964, as shown by States in table 6, and that apportionments for succeeding fiscal years will gradually increase to a maximum of \$3 billion for each of the fiscal years 1968, 1969, and 1970, with a balancing apportionment of \$2.885 billion for the fiscal year 1971.

In addition to these interstate apportionments totaling \$37 billion, the proposed program provides for A-B-C and other programs, including emergency relief and bridges over dams, totaling over \$16.5 billion through fiscal 1972.

Estimated annual apportionments, disbursements, revenues, and trust fund balances for the program to be financed from the highway trust fund are shown in table 7.

Future apportionments of A-B-C funds would be made in the amount of \$950 million for fiscal 1964, as shown in tables 6 and 7, \$950 million for the fiscal year 1965, \$975 million for the fiscal years 1966 and 1967, and \$1 billion annually for the fiscal years 1968 through 1972, as recommended by the President in his special message to the Congress on February 28, 1961. Apportionments in these amounts, involving increases of \$25 million every 2 years beginning with the apportionment for the fiscal year 1964, are in accord with the President's recommendations for keeping the A-B-C program in balance with the expanded interstate program.

The amounts included for other programs cover estimated requirements of \$5 million annually for emergency relief in the repair of highways damaged by floods or other disasters which would continue to be financed from the highway trust fund.

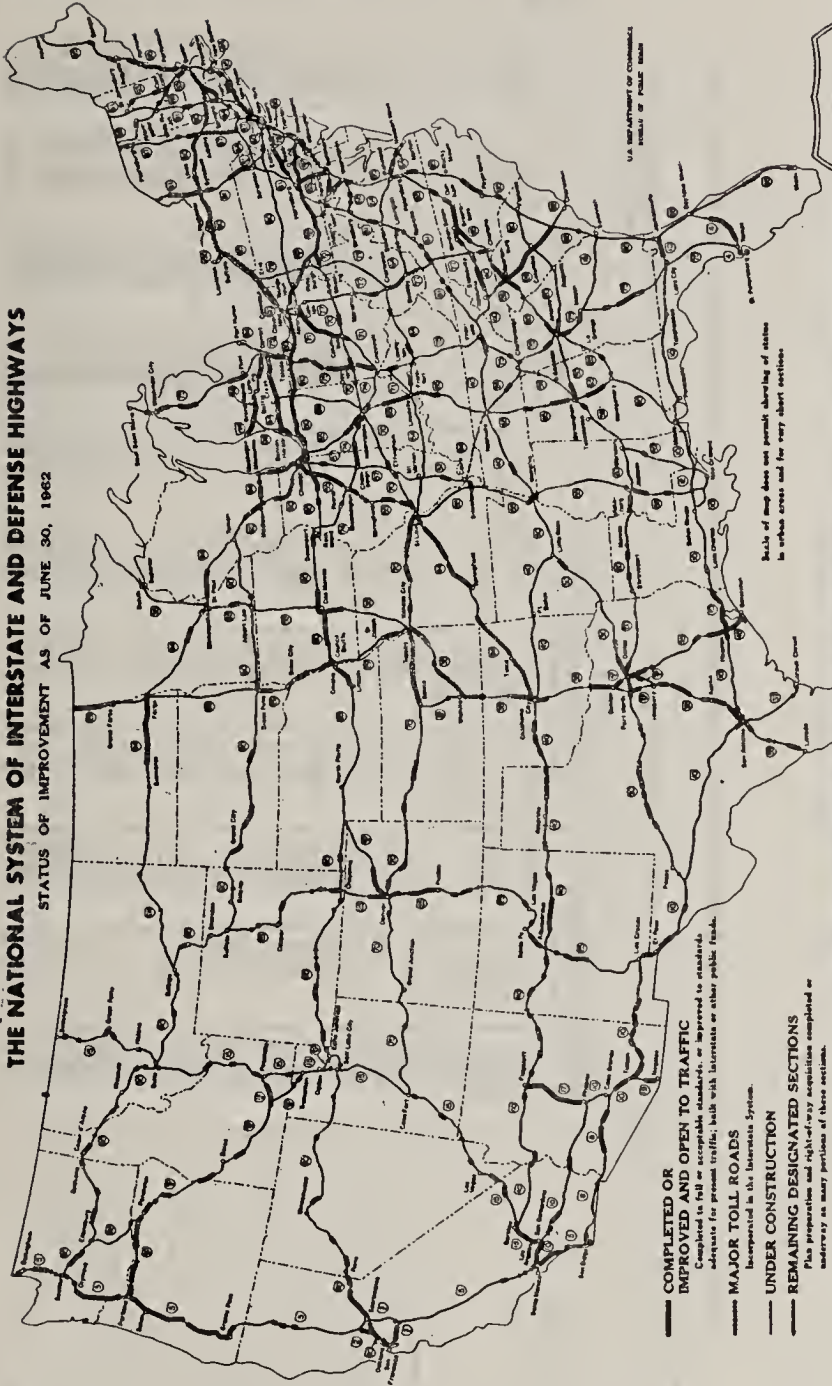
Trust fund revenues provided by the 1961 act and prior legislation are estimated to total \$52.593 billion through September 30, 1972. As shown in table 7, these estimated revenues would be adequate to meet financing requirements for the \$37 billion interstate program and for the A-B-C and other programs as discussed above with a surplus of \$149 million on September 30, 1972.

We are pleased to report that actual costs for completion of the Interstate System are running very close to the estimate of costs as reported to the Congress in January 1961 (H. Doc. 49, 87th Cong., 1st sess.). The ratios of actual to estimated costs are as follows for work authorized from January 1, 1960, through June 30, 1962:

Item	Actual total cost	Ratio of actual to estimated cost
	<i>Millions</i>	<i>Percent</i>
Preliminary engineering.....	\$226	106.4
Right-of-way.....	1,244	103.0
Construction.....	4,679	99.6
Total.....	6,149	100.5

The tabulation of cost experience in the construction of the Interstate System indicates that actual costs for the portions of the Interstate System authorized during the 2½-year period following the cutoff date for the 1961 estimate are 100.5 percent of the estimated costs for the same system segments as reported to Congress in the 1961 estimate. This relationship, percentagewise, between actual and estimated costs will vary from State to State, reflecting changing conditions in rural and urban areas, and changes in unit prices, etc., over those existing at the estimate date. Nationwide, however, the estimate of costs and the actual costs are in close agreement, indicating the soundness of the 1961 estimate as a measure of the ultimate cost of the 41,000-mile Interstate System now designated.

THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS STATUS OF IMPROVEMENT AS OF JUNE 30, 1962



U.S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS

- COMPLETED OR IMPROVED AND OPEN TO TRAFFIC**
Completed to full or acceptable standards, or improved to standards adequate for present traffic, built with Interstate or other public funds.
- MAJOR TOLL ROADS**
Incorporated in the Interstate System.
- UNDER CONSTRUCTION**
Plus preparation and right-of-way acquisition completed or underway in many portions of these sections.
- REMAINING DESIGNATED SECTIONS**

INTERSTATE			
TOTAL 41,000 MILES			
Open to Traffic 12,550 Miles	Under Construction 4,901 Miles	Engineering and Right-of-Way in Progress 10,927 Miles	Remaining Mileage 12,722 Miles
28,278 Miles			

TABLE 1.—National System of Interstate and Defense Highways status of improvement as of June 30, 1962

State	Open to traffic						Work in progress with interstate funds			Remain- ing mileage	Total desig- nated system mileage	
	Completed to full or accept- able standards			Improved to standards ade- quate for present traffic			Total open to traffic	Under con- struction	Engi- neering or right- of-way			Total under- way
	With inter- state funds	With other public funds	Total	With inter- state funds	With other public funds	Total						
Alabama.....	101.2		101.2	19.4	32.1	51.5	152.7	189.6	148.1	337.7	384.4	874.8
Alaska.....												
Arizona.....	242.8		242.9	110.7	188.0	298.7	541.6	22.5	314.0	336.5	282.9	1,161.0
Arkansas.....	40.7	0.1	40.7		2.8	2.8	43.5	102.9	355.3	458.2	16.1	517.8
California.....	236.9	24.3	261.2	185.5	210.0	395.5	670.7	163.2	1,102.1	1,265.3	242.2	2,178.2
Colorado.....	167.9	4.1	172.0	71.5	34.9	106.4	278.4	43.1	150.6	193.7	475.9	948.0
Connecticut.....	45.4	71.1	116.5	5.3	17.7	23.0	159.0	28.6	105.8	134.4		293.4
Delaware.....	6		6	.6		.6	3.5	5.8	19.6	25.4	11.6	40.5
Florida.....	138.8	1.5	140.3				182.7	146.5	162.3	308.8	628.5	1,120.0
Georgia.....	141.5	17.5	159.0				234.2	193.4	77.0	270.4	599.0	1,103.6
Hawaii.....							5.8		7.3	7.3	35.4	48.5
Idaho.....	90.3		90.3	44.1	37.3	81.4	171.7	98.5	216.9	315.4	125.0	612.1
Illinois.....	237.8	20.5	258.3	25.2	133.6	158.8	568.4	116.3	582.8	699.1	319.0	1,585.5
Indiana.....	135.5		135.5	7.4	2.8	10.2	302.6	114.2	416.5	530.7	287.6	1,120.9
Iowa.....	203.5		203.5	21.5		21.5	228.6	56.5	211.8	268.3	211.7	708.6
Kansas.....	222.2		222.2	16.0	19.8	35.8	187.1	44.5	115.3	119.5	236.5	801.1
Kentucky.....	90.2		90.2	7.9	8.5	16.4	146.2	88.7	151.0	239.7	310.2	696.1
Louisiana.....	41.6	3.6	45.2		6.3	6.3	51.5	170.0	207.8	377.8	253.3	682.6
Maine.....	53.0	1.2	54.2		3.0	3.0	60.3	28.3	23.3	51.6	142.9	312.0
Maryland.....	34.1	32.2	66.3	40.4	28.5	68.9	146.5	19.3	120.0	139.3	67.9	353.7
Massachusetts.....	59.6	6.0	65.6	0.2	27.5	27.7	219.1	41.8	98.9	140.7	102.6	462.4

Michigan.....	334.8	126.4	461.2	55.1	5.6	5.6	4.4	471.2	259.3	100.2	359.5	247.2	1,077.9
Minnesota.....	37.9	---	37.9	55.1	2.3	57.4	---	95.3	111.9	360.6	472.5	330.3	898.1
Mississippi.....	42.9	---	42.9	13.1	13.8	26.9	---	69.8	223.3	76.4	299.7	308.7	678.2
Missouri.....	170.4	2.0	172.4	71.2	141.6	212.8	3.2	388.4	150.6	533.7	684.3	32.0	1,104.7
Montana.....	133.4	---	133.4	---	---	---	---	133.4	124.3	336.4	460.7	586.3	1,180.4
Nebraska.....	57.1	---	57.1	---	12.9	12.9	.3	70.3	61.2	241.7	302.9	116.6	1,489.8
Nevada.....	78.3	---	78.3	17.5	---	17.5	---	95.8	68.4	159.8	228.2	210.0	534.0
New Hampshire.....	61.2	---	61.2	2.0	2.8	4.8	21.6	87.6	18.2	15.7	33.9	92.3	213.8
New Jersey.....	17.1	11.9	29.0	13.7	14.4	28.1	54.1	111.2	34.6	108.7	143.3	121.4	375.9
New Mexico.....	211.1	---	211.1	91.4	---	91.4	---	302.5	77.3	191.8	269.1	433.6	1,005.2
New York.....	165.1	50.0	215.1	16.1	7.8	23.9	505.6	744.6	116.3	146.7	263.0	219.6	1,227.2
North Carolina.....	264.0	---	264.0	38.8	52.0	90.8	---	354.8	75.7	158.3	234.0	180.0	768.8
North Dakota.....	163.7	---	163.7	28.2	11.2	39.4	---	203.1	43.1	96.7	138.8	225.0	567.9
Ohio.....	324.3	19.8	344.1	20.4	66.7	87.1	207.5	638.7	126.0	536.7	662.7	193.8	1,495.2
Oklahoma.....	136.5	---	136.5	25.3	24.6	49.9	174.3	360.7	103.8	148.9	252.7	180.6	794.0
Oregon.....	237.2	25.1	262.3	27.5	178.4	205.9	.8	469.0	80.7	10.3	91.0	171.3	731.3
Pennsylvania.....	238.1	54.5	292.6	27.5	1.7	1.7	362.1	656.4	164.8	418.5	583.3	335.8	1,575.5
Rhode Island.....	10.7	9.7	20.4	2	1	3	---	20.7	5.3	16.6	21.9	28.3	70.9
South Carolina.....	216.5	---	216.5	20.5	7.9	28.4	---	244.9	90.0	67.3	157.3	276.7	678.9
South Dakota.....	111.9	---	111.9	56.2	---	56.2	---	168.1	83.1	171.1	254.2	256.5	678.8
Tennessee.....	69.1	1.7	70.8	8.5	---	8.5	---	79.3	233.0	310.9	543.9	424.4	1,047.6
Texas.....	701.2	52.4	753.6	99.4	135.7	235.1	29.8	1,018.5	269.6	1,052.7	1,322.3	685.7	3,026.5
Utah.....	57.1	---	57.1	16.1	1.9	18.0	---	75.1	68.0	289.0	357.0	502.8	934.9
Vermont.....	41.5	---	41.5	---	---	---	---	41.5	32.2	79.0	111.2	171.2	323.9
Virginia.....	73.5	31.9	105.4	20.9	37.6	58.5	37.3	201.2	195.2	107.8	303.0	548.9	1,053.1
Washington.....	72.3	8.3	80.6	138.5	34.4	192.9	.3	273.8	72.5	247.2	319.7	132.1	725.6
West Virginia.....	29.5	---	29.5	---	---	---	85.9	115.4	39.0	78.3	117.3	290.0	522.7
Wisconsin.....	168.1	---	168.1	---	39.5	39.5	---	207.6	48.0	196.9	244.9	---	452.5
Wyoming.....	140.7	---	140.7	38.4	---	38.4	---	179.1	188.0	77.6	265.6	469.9	914.6
District of Columbia.....	.5	.1	.6	1.9	.1	2.0	---	2.6	4.5	4.9	9.4	16.1	28.1
Total.....	6,649.3	575.9	7,225.2	1,376.6	1,646.8	3,023.4	2,301.3	12,549.9	4,801.3	10,926.8	15,728.1	12,519.8	140,797.8

! The system is limited to 41,000 miles by law. The small balance is held in reserve for adjustments as final locations are selected and projects built.

TABLE 2.—*Interstate System authorizations through June 30, 1962*
[Dollar amounts in millions]

Item	Total cost of work authorized				
	Actual, through June 30, 1962		Estimated remaining work as of June 30, 1962		Total Inter- state System costs per 1961, estimate
	Amount	Percent of total item costs	Amount	Percent of total item costs	
Preliminary engineering.....	\$632	59	\$447	41	\$1, 079
Right-of-way.....	3, 093	49	3, 182	51	6, 275
Construction.....	9, 591	30	22, 305	70	31, 896
Subtotal.....	13. 316	34	25, 934	66	39, 250
State highway planning and research.....					574
Public Roads administration and re- search.....					357
Contingencies.....					819
Total.....					41. 000

TABLE 4.—Federal-aid primary and secondary highway systems active and completed projects financed with primary, secondary, and urban funds as of June 30, 1962
[Dollar amounts in millions]

	Projects underway or authorized						Projects completed July 1, 1956 to date					
	Construction			Engineering and right-of-way			Construction			Engineering and right-of-way		
	Total cost	Federal funds	Miles	Total cost	Federal funds	Total cost	Total cost	Federal funds	Miles	Total cost	Federal funds	Total cost
Alabama.....	\$47.6	\$23.2	768.7	\$14.4	\$7.2	\$30.4	\$197.5	\$101.3	4,443.1	\$14.5	\$7.1	\$212.0
Alaska.....	51.5	41.6	237.7	13.5	12.0	56.6	42.0	36.1	990.4	2.4	2.3	44.4
Arizona.....	25.8	19.4	262.7	2.7	2.0	21.4	78.4	57.9	841.2	2.1	1.5	59.4
Arkansas.....	65.7	33.3	900.4	3.6	1.9	35.2	112.4	57.6	2,742.2	11.5	5.6	123.9
California.....	204.8	112.6	309.5	3.0	1.8	114.4	489.0	251.3	1,886.8	3.1	1.6	492.1
Colorado.....	19.5	12.0	220.7	6.7	3.8	15.8	143.6	76.2	1,951.9	13.5	7.1	157.1
Connecticut.....	16.0	7.4	21.8	21.2	10.6	37.2	99.0	49.1	167.0	2.3	1.2	101.3
Delaware.....	4.5	2.3	30.8	1.3	.7	3.0	38.6	18.4	287.1	.7	.3	50.3
Florida.....	46.3	23.3	451.7	.4	.2	23.5	174.8	84.2	1,835.4	1.7	.8	176.5
Georgia.....	93.9	47.0	929.5	22.5	11.3	58.3	196.3	98.0	3,122.7	9.0	4.3	205.3
Hawaii.....	4.3	2.1	11.3	3.3	1.7	3.8	30.2	15.0	68.0	4.1	2.0	34.3
Iaho.....	20.1	13.1	320.3	4.8	3.0	16.1	69.1	43.3	1,362.1	6.8	3.7	75.9
Illinois.....	142.9	75.8	809.3	23.7	11.8	87.6	429.2	223.7	4,564.9	10.0	5.2	228.9
Indiana.....	69.7	35.9	365.2	22.9	11.4	47.3	234.7	122.7	2,235.6	31.4	15.0	286.1
Iowa.....	47.0	23.9	1,154.2	2.7	1.3	25.2	209.7	110.7	6,390.5	8.5	4.3	218.2
Kansas.....	38.8	19.5	1,227.9	4.5	2.2	21.7	195.3	99.2	7,598.9	18.4	9.2	213.7
Kentucky.....	56.8	28.2	353.5	10.7	5.4	33.6	144.7	75.1	1,023.2	28.0	13.9	172.7
Louisiana.....	57.4	28.9	409.0	9.7	4.8	33.7	172.0	83.4	1,780.0	7.2	3.6	179.2
Maine.....	21.7	11.0	134.1	1.0	.5	11.5	63.9	32.4	560.3	9.5	4.6	73.4
Maryland.....	33.9	16.9	183.6	3.3	1.6	18.5	116.6	59.9	912.9	1.2	.6	117.8
Massachusetts.....	89.2	43.5	108.2	17.3	8.7	52.2	153.9	76.5	217.8	23.0	11.3	176.9
Michigan.....	119.7	58.6	1,173.5	8.8	4.5	63.1	352.2	171.8	4,871.8	13.5	6.4	365.7
Minnesota.....	59.5	30.4	1,159.7	6.3	3.2	33.6	247.9	129.9	8,791.1	6.5	3.4	254.4
Mississippi.....	43.4	21.3	919.6	6.9	3.4	24.7	139.0	68.8	4,187.7	15.9	7.9	154.9
Missouri.....	74.0	37.1	1,270.4	30.5	14.8	51.9	237.2	122.7	7,140.0	44.4	22.1	144.8
Montana.....	39.4	23.8	750.2	5.1	2.9	27.7	118.9	74.3	2,497.4	10.5	6.0	129.4
Nebraska.....	46.8	24.4	1,242.2	5.1	2.6	27.0	155.1	81.9	4,132.8	16.8	8.4	171.9

TABLE 5.—*Projects financed from funds authorized by sec. 2(a) and 2(e) (D funds and L funds, respectively) of 1958 act as of June 30, 1962*

State	Number of projects	Total cost	Federal funds		Miles	Number of bridges
			D fund	L fund		
Alabama.....	54	\$11,952,548	\$7,883,298	\$2,496,574	262.5	37
Alaska.....	31	8,243,798	6,178,599	381,824	126.3	6
Arizona.....	20	5,992,583	4,767,326	680,439	76.8	23
Arkansas.....	53	9,147,330	5,880,738	1,816,813	346.7	34
California.....	92	37,514,673	22,073,488	5,289,037	201.7	66
Colorado.....	23	9,562,554	6,259,199	1,576,074	195.7	5
Connecticut.....	25	6,047,904	3,733,466	1,153,428	36.4	3
Delaware.....	7	2,826,740	1,680,806	527,145	22.3	7
Florida.....	43	10,168,077	6,544,442	2,021,859	307.3	6
Georgia.....	34	12,217,061	8,045,973	2,682,009	290.7	26
Hawaii.....	5	2,849,494	1,838,235	567,910	13.2	3
Idaho.....	35	5,455,657	3,936,209	840,066	165.9	5
Illinois.....	166	27,430,184	17,803,047	4,807,689	567.6	41
Indiana.....	70	14,063,585	9,375,435	2,860,015	250.4	18
Iowa.....	108	13,557,425	8,523,047	2,633,135	401.8	29
Kansas.....	151	12,337,855	8,123,299	2,509,636	482.3	94
Kentucky.....	41	11,154,064	7,138,825	2,205,490	116.0	19
Louisiana.....	34	9,810,825	6,305,387	1,850,751	199.9	21
Maine.....	22	4,662,846	2,975,768	919,343	55.4	-----
Maryland.....	8	6,775,394	4,394,431	1,357,629	24.8	4
Massachusetts.....	22	12,113,983	7,417,652	2,291,632	33.3	14
Michigan.....	132	21,944,920	13,857,433	196,132	375.8	17
Minnesota.....	133	15,993,590	9,544,381	393,314	497.7	23
Mississippi.....	73	10,529,823	6,374,195	18,000	296.1	54
Missouri.....	100	16,715,757	11,041,091	3,411,067	408.9	72
Montana.....	38	9,191,050	6,325,284	1,595,039	267.3	5
Nebraska.....	30	10,068,882	6,623,717	2,047,895	212.1	23
Nevada.....	11	4,261,315	3,737,178	288,487	107.3	2
New Hampshire.....	8	2,770,495	1,797,880	-----	13.5	4
New Jersey.....	23	11,160,256	7,585,212	2,286,432	39.6	6
New Mexico.....	16	6,874,697	5,129,291	1,047,522	106.8	10
New York.....	87	42,678,580	25,765,119	7,691,167	217.4	33
North Carolina.....	68	14,417,185	9,527,160	2,952,998	341.6	37
North Dakota.....	23	6,884,073	4,511,272	1,393,726	392.9	1
Ohio.....	223	24,794,719	15,876,379	4,904,896	724.0	30
Oklahoma.....	36	11,907,762	7,668,061	2,368,993	180.7	40
Oregon.....	71	8,297,985	5,898,916	1,241,197	124.9	39
Pennsylvania.....	56	29,418,065	19,217,078	5,936,982	139.1	52
Rhode Island.....	22	3,475,957	2,219,044	676,619	49.8	-----
South Carolina.....	58	8,752,954	5,066,872	-----	283.5	46
South Dakota.....	70	7,066,130	4,880,326	1,017,733	402.7	15
Tennessee.....	62	12,581,929	8,295,696	2,562,897	306.3	42
Texas.....	147	38,527,230	24,334,820	7,518,072	1,027.4	227
Utah.....	17	4,770,155	3,729,777	-----	72.5	6
Vermont.....	17	2,594,867	1,656,616	511,800	22.4	6
Virginia.....	133	12,917,661	7,657,939	2,365,867	464.1	19
Washington.....	87	9,790,505	6,494,383	1,662,443	269.5	5
West Virginia.....	33	6,967,692	4,324,463	1,336,012	152.5	4
Wisconsin.....	85	15,656,578	9,098,443	2,810,900	319.6	38
Wyoming.....	9	5,153,630	3,886,714	748,548	97.0	6
District of Columbia.....	10	3,699,324	2,368,963	731,875	6.4	1
Puerto Rico.....	9	4,413,281	2,798,766	864,440	14.1	9
Total.....	2,931	618,161,627	1,398,176,139	102,049,551	12,110.5	1,333

¹ Reduction from total \$400,000,000 authorization represents reductions in project cost reported on final vouchers.

TABLE 6.—*Approximate apportionments of Federal-aid high funds, fiscal year 1964*

[Thousands of dollars]

State	Pursuant to H. R. 12135				Interstate	Total
	Primary	Secondary	Urban	Subtotal		
Total.....	\$427,500	\$285,000	\$237,500	\$950,000	\$2,600,000	\$3,550,000
Alabama.....	8,178	6,244	3,188	17,610	53,635	71,245
Alaska.....	22,696	15,233	156	38,085	-----	38,085
Arizona.....	6,337	4,111	1,773	12,221	36,407	48,628
Arkansas.....	6,087	4,847	1,292	12,226	27,138	39,364
California.....	21,862	10,154	25,672	57,688	247,918	305,606
Colorado.....	7,105	4,609	2,415	14,129	34,379	48,508
Connecticut.....	2,992	1,622	4,581	9,195	36,613	45,808
Delaware.....	2,111	1,407	544	4,062	9,654	13,716
Florida.....	7,849	4,863	6,669	19,381	53,789	73,170
Georgia.....	10,473	7,909	3,843	22,225	47,781	70,006
Hawaii.....	2,111	1,407	880	4,398	20,360	24,758
Idaho.....	4,726	3,392	501	8,619	12,170	20,789
Illinois.....	15,933	8,727	15,229	39,889	135,256	175,145
Indiana.....	9,696	7,009	5,322	22,027	64,213	86,240
Iowa.....	9,619	7,162	2,535	19,316	32,813	52,129
Kansas.....	9,561	6,676	2,327	18,564	20,103	38,667
Kentucky.....	6,944	5,888	2,368	15,200	52,890	68,090
Louisiana.....	6,353	4,570	3,712	14,635	74,894	89,529
Maine.....	3,138	2,384	805	6,327	12,247	18,574
Maryland.....	4,192	2,628	4,288	11,108	47,499	58,607
Massachusetts.....	5,382	2,380	8,184	15,946	55,561	71,507
Michigan.....	13,179	8,277	10,755	32,211	101,031	133,242
Minnesota.....	10,726	7,560	3,888	22,174	67,063	89,237
Mississippi.....	6,626	5,567	1,393	13,586	31,503	45,089
Missouri.....	11,306	7,740	5,270	24,316	66,318	90,634
Montana.....	7,821	5,426	543	13,790	24,263	38,053
Nebraska.....	7,688	5,478	1,368	14,534	15,148	29,682
Nevada.....	4,846	3,223	358	8,427	13,069	21,496
New Hampshire.....	2,111	1,407	627	4,145	11,631	15,776
New Jersey.....	5,968	2,049	10,191	18,208	67,602	85,810
New Mexico.....	6,606	4,457	1,147	12,210	25,880	38,090
New York.....	19,292	8,412	27,316	55,020	122,855	177,875
North Carolina.....	9,971	8,914	3,111	21,996	21,208	43,204
North Dakota.....	5,411	3,965	417	9,793	11,451	21,244
Ohio.....	14,660	9,138	13,402	37,200	176,952	214,152
Oklahoma.....	8,523	5,932	2,616	17,071	31,195	48,266
Oregon.....	6,546	4,575	1,982	13,103	45,034	58,137
Pennsylvania.....	15,690	10,062	15,094	40,846	115,974	156,820
Rhode Island.....	2,111	1,407	1,426	4,944	9,551	14,495
South Carolina.....	5,407	4,724	1,699	11,830	22,389	34,219
South Dakota.....	5,952	4,306	431	10,689	17,023	27,712
Tennessee.....	8,277	6,536	3,378	18,191	65,343	83,534
Texas.....	25,851	16,337	13,180	55,368	117,309	172,677
Utah.....	4,635	3,007	1,237	8,879	37,537	46,416
Vermont.....	2,111	1,407	330	3,848	17,895	21,743
Virginia.....	8,031	6,269	4,112	18,412	78,797	97,209
Washington.....	6,780	4,582	3,548	14,910	54,046	68,956
West Virginia.....	4,163	3,742	1,248	9,153	39,026	48,179
Wisconsin.....	9,485	6,691	4,589	20,765	22,928	43,693
Wyoming.....	4,816	3,277	280	8,373	24,879	33,252
District of Columbia.....	2,111	1,407	1,489	5,007	37,280	42,287
Puerto Rico.....	2,111	2,342	1,822	6,275	-----	6,275

TABLE 7.—Federal-aid highway program pursuant to Federal-Aid Highway Act of 1961

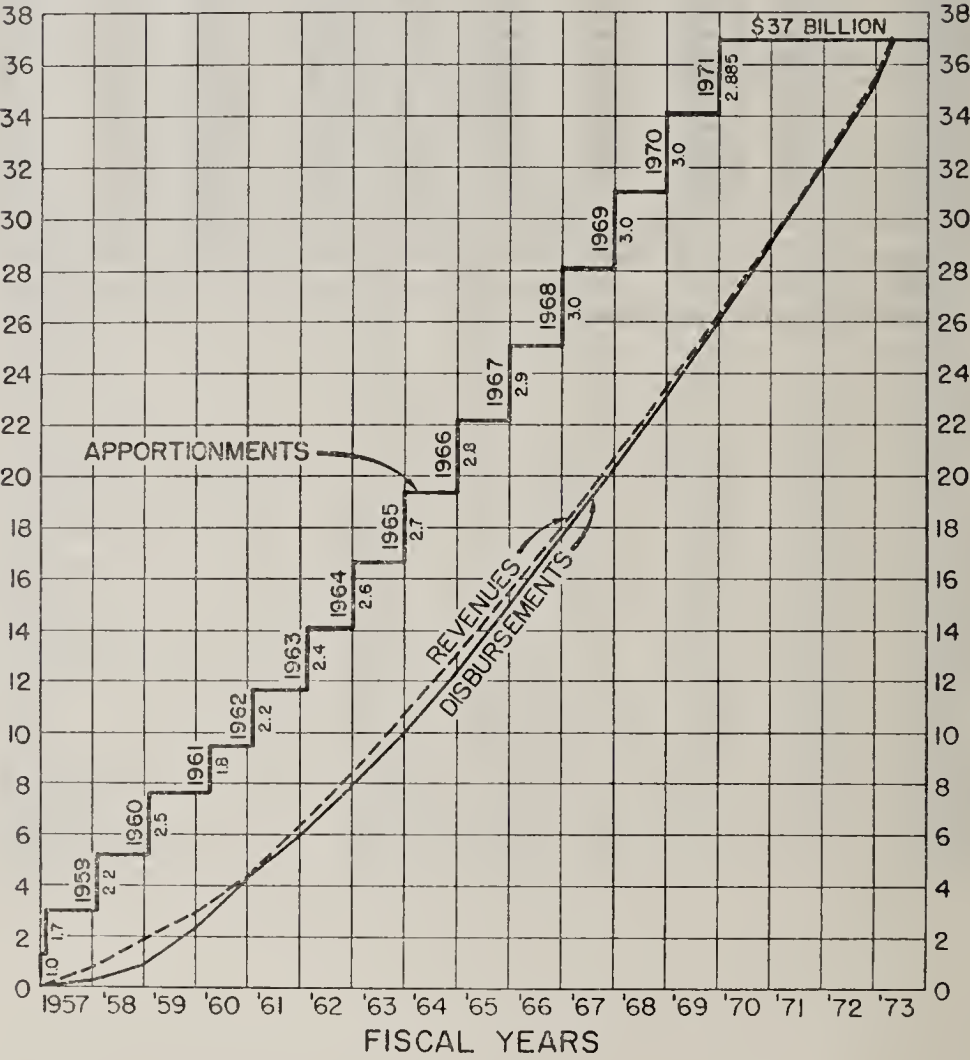
[Millions of dollars]

Fiscal year	Date	Apportionments			Obligations	Disbursements	Revenues	Balance
		Inter-state	A B C and other	Total				
Balance ¹ -----	June 30, 1956	\$315	\$1, 665	\$1, 980	\$1, 160	-----	-----	-----
1957-----	June 29, 1956	1, 000	129	1, 129	2, 227	\$966	\$1, 482	\$516
1958-----	Aug. 1, 1956	1, 700	859	2, 559	2, 945	1, 511	2, 044	1, 049
1959-----	Aug. 1, 1957	2, 200	1, 380	3, 580	3, 509	2, 613	2, 088	524
1960-----	Aug. 1, 1958	2, 500	906	3, 406	2, 610	2, 940	2, 535	119
1961-----	Oct. 8, 1959	1, 800	873	2, 673	3, 187	2, 619	2, 799	299
1962-----	Aug. 1, 1960	2, 200	883	3, 083	3, 034	2, 784	2, 955	470
1963-----	Aug. 17, 1961	2, 400	932	3, 332	3, 861	3, 001	3, 262	731
1964-----	Aug. 1, 1962	2, 600	955	3, 555	3, 774	3, 383	3, 357	705
1965-----	July 1, 1963	2, 700	955	3, 655	3, 791	3, 571	3, 454	588
1966-----	July 1, 1964	2, 800	980	3, 780	3, 791	3, 661	3, 550	477
1967-----	July 1, 1965	2, 900	980	3, 880	3, 914	3, 716	3, 651	412
1968-----	July 1, 1966	3, 000	1, 005	4, 005	4, 014	3, 812	3, 754	354
1969-----	July 1, 1967	3, 000	1, 005	4, 005	4, 014	3, 906	3, 861	309
1970-----	July 1, 1968	3, 000	1, 005	4, 005	4, 014	3, 961	3, 969	317
1971-----	July 1, 1969	2, 885	1, 005	3, 890	3, 062	4, 062	4, 078	333
1972-----	July 1, 1970	-----	1, 005	1, 005	1, 051	4, 203	4, 191	321
1973-----	-----	-----	-----	-----	-----	1, 735	1, 563	149
Total-----	-----	37, 000	16, 527	53, 527	53, 958	52, 444	52, 593	-----

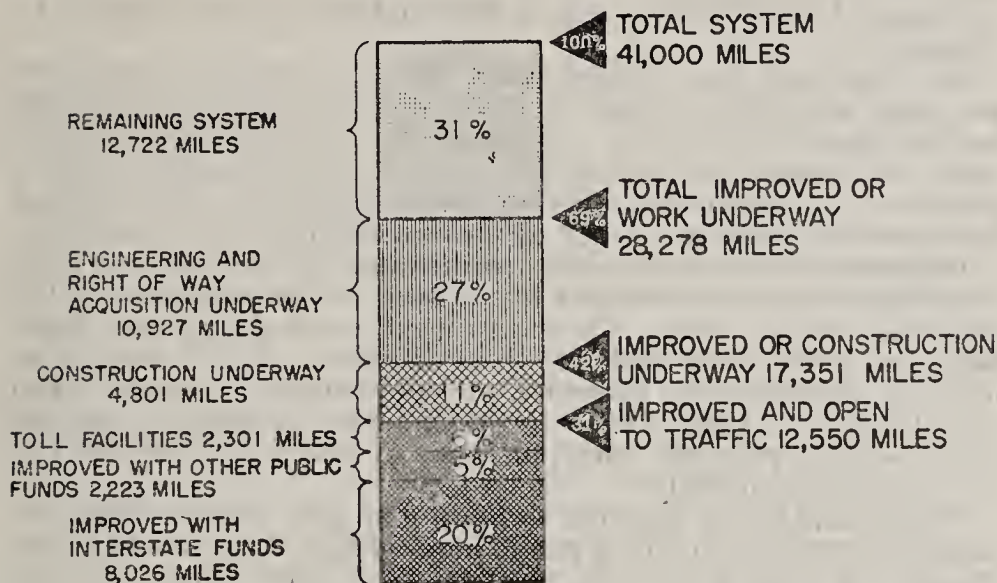
¹ Unpaid balance of prior authorizations.

COMPLETION OF INTERSTATE SYSTEM IN 1972
PURSUANT TO 1961 ACT

BILLIONS OF DOLLARS



STATUS OF INTERSTATE SYSTEM IMPROVEMENT AS OF JUNE 30, 1962



STATEMENT OF REX M. WHITTON, FEDERAL HIGHWAY ADMINISTRATOR, BUREAU OF PUBLIC ROADS, DEPARTMENT OF COMMERCE; ACCOMPANIED BY FRANK TURNER, CHIEF ENGINEER, BUREAU OF PUBLIC ROADS, DEPARTMENT OF COMMERCE

Mr. WHITTON. I will be talking about bills H.R. 12135, S. 3136, and these others. In regard to H.R. 12135 and S. 3136, I want to first discuss some of the specific recommendations made by the President in his Federal highway message and in his recent and timely message on transportation, a subject of vital interest to the entire country.

One of these recommendations, concerning relocation assistance for those displaced as a result of Federal-aid highway construction, is not entirely new. The President had referred to this problem in his special message on highways of more than a year ago.

On the matter of displacement of families, the President mentioned his previous message and stated—and I quote:

To move toward equity among the various federally assisted programs causing displacement, I recommend that assistance and requirements similar to those now applicable to the urban renewal program be authorized for the Federal-aid highway program.

Now I am reading from the top of page 5.

Section 3 of S. 3136, now under consideration by this committee, would implement this recommendation. The Secretary of Commerce would be authorized to require assurances by the State highway departments of feasible relocation methods and availability of suitable dwellings, and to approve Federal-aid participation in State relocation payments, with specified limitations, for reasonable and necessary moving expenses and actual property losses not otherwise compensated.

The limitations on relocation payments would be (1) \$200 in the case of an individual or family and (2) \$3,000 in the case of a business concern or nonprofit organization, or if greater, the total certified actual moving expenses.

Senator KERR. Will you repeat that and just a little slower, Mr. Whitton?

Mr. WHITTON. Yes, Senator Kerr. The limitations on relocation payments would be (1) \$200 in the case of an individual or family and (2) \$3,000 in the case of a business concern or nonprofit organization, or if greater, the total certified actual moving expenses. These provisions are designed to alleviate severe hardships to families and businesses displaced as a result of Federal-aid highway construction.

We estimate that about 15,000 families and 1,500 businesses will be displaced each year in the next 6 to 8 years by the completion of the Interstate System alone. Under existing Federal-aid highway legislation, no provision is made for those displaced. The circumstances of these displacements, therefore, are unfavorable, especially when considered in the light of those occurring under the federally assisted urban renewal program, which displaces around 30,000 families and 4,000 businesses annually.

When families are required to move and give up their homes to permit the construction of a public improvement, they should not be forced into housing less desirable than that from which they are removed. It is only fair and proper that they should have the opportunity of occupying decent, safe, and sanitary housing that is within their financial means, and in reasonably convenient locations. Moreover, they should be afforded assistance where necessary in order to minimize the hardships involved in finding a suitable dwelling.

While it is true that the primary purposes of the Federal-aid highway program do not include actual improvement of substandard living conditions, we perceive no objection in principle to such improvement as an incidental result of public construction such as the highway program. Indeed, the concept of economic improvement by reason of public works construction would appear to go hand-in-hand with that of social progress.

Moreover, the consideration of a highway program as including relocation assistance and payments is not unique. In enacting the Federal-Aid Highway Act of 1956, the Congress recognized that utility relocation payments made by the States in connection with Federal-aid highway construction are properly a part of the cost of highway construction to be paid from the highway trust fund.

Increasing concern is being given to the problems of those displaced from their homes and businesses by Federal or federally aided construction programs. In fact, in recent years, the trend has been toward special consideration of those displaced, both on the Federal level and on the State level as well.

Seven States have enacted legislation requiring some form of relocation assistance, all but one of which applies to businesses as well as to residences. In at least one State the maximum assistance payments in most categories are higher than those provided under S. 3136. Also, about a dozen other States which have no specific statutes on the subject make payment for moving or related costs under varying conditions as a result of jury awards, constitutional interpretation, or administrative action of the State highway department.

We believe that enactment of section 3 of S. 3136 will insure this desirable legislation in all States, thus affording equitable treatment to our citizens most directly and immediately affected, from a personal standpoint, by highway construction.

A program of relocation assistance and payments is a logical extension of the right-of-way program. Property owners are compensated for property actually taken for highway right-of-way purposes, but they must vacate their property and move at their own expense. Much of the land needed for rights-of-way is occupied by families and businesses who rent or lease. They also must bear the expense involved in moving to accommodate a public improvement.

This represents a serious financial burden, and in the case of a business, may pose a threat to the ability to continue in operation, particularly in the case of small, single-location business establishments.

It is not difficult to visualize the far-reaching results of massive removals of urban families and businesses from their accustomed places, without the tempering effect of an orderly, statutory program of relocation assistance and payments. The families and businesses involved often undergo not relocation, but dislocation.

It would be hard to calculate the dollar amount lost by unassisted wage earners and businessmen during the time required to search for a new location, not to mention the continuing losses suffered when in order to avoid further immediate monetary loss, the first available location must be accepted whether suitable or not.

Indirectly, the economic results of such an unrelieved major dislocation within an urban area upon the relevant housing, labor, and consumer markets of that community may well operate to offset the substantial economic benefits which the highway project was originally intended to produce.

We believe that these potential losses, direct and indirect, private and public, can be minimized or eliminated by a workable program of relocation assistance.

We have made some estimate of the cost of this proposed new relocation assistance program. Based on the limits of payments set by the bill, its cost derived from data provided by the States themselves, would be approximately \$75 million from the highway trust fund to the end of the program in 1972. Considering the importance of achieving the objectives I have discussed, I do not believe the cost to be unreasonable nor of such magnitude that the program cannot accommodate it.

The Housing and Home Finance Agency has advised us that under the urban renewal program an average relocation payment of about \$65 is paid to families and about \$1,150 to businesses. If these amounts, instead of the authorized maximums, are experienced, the actual cost would then be about one-third of the above amount.

Now I want to skip one page over to the middle of page 11.

Another of the President's recommendations relates directly to highway projects in metropolitan areas.

A major objective of national transportation policy in the use of Federal assistance programs is to encourage and facilitate the development by States and local communities of balanced transportation systems consistent with long-range comprehensive development plans.

To effect this objective expeditiously, we believe that the recommended modification of the basic Federal-aid highway legislation, as contained in section 7 of S. 3136 is highly desirable. The Secretary of Commerce would be granted authority to cooperate with the States in the development of long-range highway plans and programs for metropolitan areas which would form integral parts of a total transportation system for those areas.

This section would require, as a condition to the approval of a highway program involving a metropolitan area, that State and local agencies undertake transportation planning on a continuing basis. By encouraging balanced transportation planning, we believe that the quality of general metropolitan planning would be improved.

Now we will skip to the middle of page 13, please, sir.

The President has referred in his transportation message to another important phase of coordinated transportation planning for metropolitan areas through the use of funds made available under both Federal highway and housing legislation. He has recommended—

that the Federal-aid highway law be amended to increase the percentage of Federal funds available to the States for research and planning.

Provisions of existing law regarding the use of Federal-aid highway funds apportioned to the States for planning and research purposes would be revised significantly under section 8 of S. 3136. Generally, the amount of such funds for highway research would be increased, all highway planning and research funds would be matched by the States, and, if not so used, would lapse.

At present, under section 307(c) of title 23, United States Code, not to exceed 1½ percent of all Federal-aid funds apportioned to the States for any fiscal year may be used upon the request of the State highway department, with the approval of the Secretary of Commerce, for certain highway planning and research projects.

Although it has been the policy of the Bureau of Public Roads to encourage the States to match such funds, the law now provides that such funds are available with or without State matching funds.

We believe that the language defining the scope of highway research and planning projects which may be undertaken pursuant to section 307(c) is sufficiently flexible to cover any reasonably foreseeable highway planning or research project needed in connection with the Federal-aid highway program. However, the Bureau of Public Roads and the Department of Commerce have had under consideration for some time the need for expanding the dollar volume of highway research activities undertaken by or through the State highway departments, with the aid of Federal funds.

In order to stimulate additional highway research activities in the Federal-State cooperative area, an additional one-half of 1 percent would be made available for highway research purposes from funds apportioned to the States for the ABC program.

Interstate funds would be involved only with respect to the 1½ percent allocation but not the additional one-half of 1 percent.

This additional one-half of 1 percent, together with State matching funds, would amount to almost \$10 million annually. This sum would be in addition to the present 1½ percent which is currently being used for both highway planning and highway research.

Senator KERR. Mr. Chairman, may I interrupt to ask a question?

Senator McNAMARA. Yes, Senator Kerr, you go right ahead.

Senator KERR. You say on page 14 that although it has been the policy of the Bureau of Public Roads to encourage the States to match such funds, the law now provides that such funds are available with or without State matching funds.

You mean that is the present law, not the law within the bill?

Mr. WHITTON. That is correct, sir, not the one recommended in this bill.

Senator KERR. When was that change made?

Mr. WHITTON. The present law?

Senator KERR. When was the law passed that made such funds available with or without State matching funds?

Mr. WHITTON. In 1944.

Senator KERR. The reason I asked the question, you said—

Although it has been the policy of the Bureau of Public Roads to encourage the States to match such funds, the law now provides * * *

which indicates to me that maybe that was an innovation.

Mr. WHITTON. No, I think the law now provides that the funds are available with or without the State matching, but the Bureau of Public Roads has been trying to get the States to match it to get more money for research. This bill would require the States to match it.

Senator KERR. You are also recommending that the present law, which makes it optional with the States, to amend it so that it would be optional with the Secretary, is that correct?

Mr. WHITTON. That's right.

Senator KERR. All right.

Mr. WHITTON. Now, I would like to skip to the middle of page 17, Mr. Chairman.

One of the most important differences in the two bills, S. 3136 and H.R. 12135, is found in section 3 relating to assistance for families and businesses displaced as a result of Federal-aid highway construction.

Under H.R. 12135, a State highway department would be required only to give satisfactory assurance that relocation advisory assistance shall be provided for the relocation of families displaced by Federal-aid highway construction prior to the approval by the Secretary of the project. This is a substantial weakening of the administration bill, S. 3136, which would require assurances by the State highway department of feasible relocation methods and the availability of suitable dwellings meeting specified standards.

The language of S. 3136 on this point is similar to that of the statute now in effect with respect to the urban renewal program. The President clearly recommended that assistance and requirements similar to those now applicable to the urban renewal program be enacted both for the Federal-aid highway program and for the proposed new urban mass transportation program.

It is only reasonable that such federally assisted programs be on a closely comparable, if not identical, basis; since they will often be administered together by one agency, particularly in large cities, the provision for which is in the bill.

A person affected by one program should surely be accorded the same assistance and consideration as his friend or neighbor affected by another such public program. In addition to providing substan-

tial equality of treatment for those so affected, section 3 of the administration bill can reasonably be expected, after a period of adjustment, to expedite the progress of the Federal-aid highway programs in urban areas. Some delays on individual Federal-aid projects in these areas have resulted from the social circumstances which necessarily surround proposed large-scale dislocations of people, as in the case of the east leg of the inner loop here in Washington. An orderly relocation program, as proposed in S. 3136, far from being a sole cause of delay and stoppage, may well operate to diminish such delay and stoppage by alleviating the adverse social circumstances which produce them. We feel that whatever difficulties that may initially exist can be worked out satisfactorily, and that in the long run the highway program will be carried forward without the hardship to families that otherwise may have occurred.

With respect to the relocation payments themselves, each of the bills would provide the same amount, \$200, as a maximum limit on payments to an individual or a family. For business concerns or nonprofit organizations, the limit under H.R. 12135 would be \$3,000, while under S. 3136, the \$3,000 limit could be exceeded, based on total certified actual moving expenses.

In summary on this subject, we recommend that the Congress enact relocation assistance legislation based on S. 3136, rather than on H.R. 12135. We believe it to be in the interest of the Federal Government that all persons required to move because of federally assisted programs be accorded equitable attention and benefit.

Now I would like to skip some more pages, please, Mr. Chairman, and go to the top of page 25, the first full paragraph.

Also pending before this committee at the present time are three bills, S. 2529, introduced by Senator Holland, S. 2907 and S. 3590, introduced by Senator Chavez. These bills would authorize appropriations for the completion of the Inter-American Highway, and for the completion of the Rama Road in Nicaragua.

S. 2907 would authorize the sum of \$850,000 to be appropriated to the Department of State for the Rama Road, with the survey and construction work to be performed under the general supervision of the Secretary of Commerce, acting through the Bureau of Public Roads.

The Project Statement and Memorandum of Understanding for the Rama Road, entered into between the Bureau of Public Roads and the Government of Nicaragua, to execute the terms of the governing legislation, provides for the construction of a road between San Benito and Rama to mutually acceptable standards. While the United States is obligated to bear the entire cost of construction under this agreement, Nicaragua has nonetheless expended approximately \$4.8 million on this project.

The authorizations available to date are expected to be sufficient to complete the road up to the Siquia River, including a bridge over that river, leaving a final 5 miles of highway to Rama remaining to be built. The general increasing trend in prices and the more difficult construction problems encountered in the dense rain forests toward the Atlantic coast of Nicaragua have both contributed to exceeding the basic estimate for completion made several years ago, which then covered some 19 miles and 6 bridges. It is now estimated that an

additional authorization and appropriation of \$850,000 will be needed to complete the road in accordance with the agreement with Nicaragua.

This is the amount provided for in the budget for the fiscal year ending June 30, 1963.

We believe that this authorization will permit completion of, and realization of the full value of our \$14.5 million investment in this important 155-mile road linking the Inter-American Highway and the east coast river port of Rama in Nicaragua.

S. 2529 would authorize the additional sum of \$28 million for the purpose of completing the construction of the Inter-American Highway. Such sum would be expended in accordance with the provisions of section 212 of title 23, United States Code, which provides among other things for continuing cooperation between the United States and the countries concerned in the survey and construction of this important highway, and for agreements relating to its maintenance and use.

S. 3590 also makes authorizations for the purpose, but in the increased amount of \$32 million and upon the condition that the authorization shall not be obligated until an adequate provision for maintenance is achieved.

Since 1930 the United States, acting through the Bureau of Public Roads, has been assisting the Central American Republics and Panama in the construction of the Inter-American Highway, which extends 3,142 miles from Laredo, Tex., to Panama City. The 1,587 mile section in Mexico was completed entirely by the Mexican Government. Additional sections in each of the other countries have been completed by those countries; however, large sections have been undertaken with the assistance of the Bureau of Public Roads.

This work has been done under the provisions of section 212 of title 23, United States Code, whereby two-thirds of the cost is financed by the United States on a matching basis with the cooperating countries.

Senator McNAMARA. Will you hesitate a moment? Senator Randolph advises me he has to leave and he would like to ask a question.

Without objection, may we do that? There being no objection, you may do that.

Senator RANDOLPH. My presence is required at other committee meetings and I should be there not more than 20 or 25 minutes before returning to this important hearing.

In your testimony you call particular attention to the difference in relocation payments as contained in H.R. 12135 and S. 3136. You indicate that they are similar in relocation of an individual or a family. But when you discuss a business concern or nonprofit organization, you speak of the House bill with the \$3,000 limitation and of the Senate proposal allowing for the total certified actual moving costs.

Now, why would you ask in the one instance for a total certified moving expense when discussing a business concern or nonprofit organization, and you would not give this flexibility, the actual moving costs, to an individual or a family?

Mr. WHITTON. Well, I think there is a greater variation in the possibility of costs to a family than there would be to a business

concern. A greater variation to a business concern than there would be to a family is a possibility.

Senator RANDOLPH. Isn't the moving of a family sometimes more real to the members of that family than, frankly, the moving of a business?

Mr. WHITTON. Well, I think——

Senator RANDOLPH. I think the roots of a family can be deeper than the roots of a business, and I make no attempt to draw a line.

Mr. WHITTON. I don't believe I would argue that point, Senator.

Senator RANDOLPH. Mr. Chairman, I think this is a matter we might consider during the executive session on this subject matter.

The CHAIRMAN. Yes.

Senator RANDOLPH. I feel that if this one category allows for total certified moving expenses, and if we are to adopt that theory in the one category, we certainly should adopt it in the other.

I bring this to the attention of the members of the subcommittee because it seems to me there is inequity.

I believe, Mr. Whitton, it would be appropriate at this time for you to indicate the Bureau of Public Roads position in reference to the action or contemplated action on the elimination or the delay of three important highway projects in the District of Columbia.

Doubtless, you are familiar with the controversy. I would like to hear what you have to say about it at this time.

Mr. WHITTON. Well, we certainly regret the delay. But at some time we would like to see something worked out so that the people affected by those projects could be moved to adequate places.

Senator RANDOLPH. Are you familiar with the editorial of the Washington Star of last evening?

Mr. WHITTON. No, I did not read it. I heard it discussed this morning; I am sorry I didn't read it.

Senator KERR. If the Senator will permit an interruption, I might say that the witness is in the same informed condition on that matter as is the Senator from Oklahoma.

If the Senator from West Virginia could enlighten both of us, it might satisfy our curiosity as well as make a contribution.

Senator RANDOLPH. The Senator from West Virginia of course realizes the limitation on his ability to enlighten anyone.

Senator KERR. No, no. If you read the editorial, there would be no question of your ability to enlighten us.

Senator RANDOLPH. I read the editorial. It relates to the delay of three important District highway projects. The editor wrote that although we are awaiting the so-called mass transportation report in November, he questioned the delay of necessary planning and construction of highways that are vital to the movement of traffic here in the Nation's Capital, movement not only of the people that live in the area, but of the tourists and of the increasing numbers of trucks coming into this area.

In other words, Mr. Whitton, the program is being cut in the District of Columbia but it is not being cut in other States. Is that correct?

Mr. WHITTON. Well, the program is being delayed, let me say it that way. The money is available, and I certainly would like to see

them go ahead with it. The program is being delayed, and cut, if you want to call it cut.

Senator RANDOLPH. Well, there is a serious attempt to cut it, isn't there?

Mr. WHITTON. There is a serious attempt to delay it and it would appear to me——

Senator RANDOLPH. Eliminate it?

Mr. WHITTON. Portions of it.

Senator KERR. You have objections to it, but not to eliminate it.

Mr. WHITTON. Well, I don't think anybody ever built any road in any city in the United States where there were no objections to it. We are here and we hear them, and some sound louder than others. There are objections to the inner loop and they are being heard, they are talking and you hear them.

Senator KERR. Isn't that an area that has some very considerable historic significance in addition to the actual economic values of the property?

Mr. WHITTON. Yes, I think so; yes, sir.

Senator KERR. I mean, isn't a great part of that effort being made by people who feel that additional consideration should be given to providing the transportation artery at a place where doing so would not cause as much damage to buildings and environments of what is regarded to be of great historical significance?

Mr. WHITTON. Yes, sir.

Senator KERR. Now, I think we have probably one of the most efficient departments of Government represented in the Bureau of Public Roads, and certainly their job is to get with the business and do it as economically as possible and as efficiently as possible.

As far as I know, there is nothing in the law that charges them with the responsibility in connection with the preservation of historic environments. But I can well understand how people with those concepts might feel a great urge to impress upon the ones making the decisions, that decisions should not be made that would hold too lightly or disregard the effects of the proposed arteries on these areas in the Nation's Capital.

And the Senator from West Virginia was talking about getting it fixed so tourists would be accommodated. That reminds me a little bit of the story that O'Henry told about the girl with the beautiful hair marrying a man with a magnificent watch that had been given to him by his father, it being an heirloom in his family. His greatest desire was for a chain for the watch and her greatest desire was for a set of beautiful combs for her hair.

And so Christmastime came and he had provided her with the set of beautiful combs and he came home and was about to present them to her; and she had secured a beautiful chain for his watch and had brought it home to give it to him for Christmas. But it turned out that she had sold her hair to get the money with which to buy the chain for the watch, and he had sold the watch with which to get the money to buy the combs for her hair.

Now, if we eliminate part of the attraction that brings tourists here in order to expedite their ability to see what was here, isn't it possible that we are working at cross purposes?

Would the Administrator care to make a comment on that?

Mr. WHITTON. Senator, we certainly appreciate your confidence in the Bureau of Public Roads. We could use some of that.

We also want you to know that we are making studies to the end that we will try to do the job the way it ought to be done.

Senator McNAMARA. I might comment from the way you fellows are trying to dip into the highway trust fund. It looks to me like there really is a Santa Claus. I think the Christmas story is apropos.

Mr. WHITTON. Thank you, Senator. To continue, as of June 30, 1962, approximately \$470,000 of construction funds from prior appropriations remained unobligated, and it is anticipated that this amount will be fully utilized during this fiscal year. With the expenditure of these remaining funds, the highway will be opened to an all-weather standard throughout its entire length, but will require additional grading, drainage, and paving projects to bring it up to the proposed standard.

The construction work to be done includes paving in Guatemala, Nicaragua, Costa Rica, and Panama; widening of the substandard sections, and heavy retaining wall and revetment work through the unstable mountainous terrain of Guatemala and Costa Rica; and completion of the grading, drainage, base, bridges, and paving of the Guabala-Sanitago cutoff in Panama. After the conclusion of this work, the responsibility of the Bureau of Public Roads for completing the construction of the Inter-American Highway will be terminated.

It is estimated that \$32 million, as provided by S. 3590, will be needed to finance the U.S. share of the cost of completing the Inter-American Highway, conditioned on assurance of adequate maintenance, while the amount authorized by S. 2529 is \$28 million.

Senator CHAVEZ. Just a moment on that score, please.

Senator McNAMARA. Senator Chavez?

Senator CHAVEZ. The Ambassador to Guatemala was in my office about a week ago on this program. Guatemala has the \$3 million, and they are willing to use it now to pay for their part of the road.

But it is necessary for Uncle Sam to provide his share.

Mr. WHITTON. That's right, Senator.

Senator CHAVEZ. And that is what this bill does.

Mr. WHITTON. It does that and the other needed work, too.

May I say, Senator, that the Ambassador of Guatemala has called me several times about wanting to get his \$3 million to work and wanting us to put up our six.

Some of the largest increases in the cost of completing the highway have been due to inadequacy or lack of maintenance in many of the countries affected. Therefore, we believe it is in the best interest of the United States to participate in maintenance of the highway during the first 5 years, both in initial financial help and in providing expert technical assistance where needed, in order to protect our large investment.

As a practical matter, a majority of the countries concerned have been unable to maintain the completed portions of the highway, despite the existence of agreements providing for full maintenance by the countries concerned.

Participation to assure adequate maintenance can best be accomplished by the establishment of an Inter-American Highway Authority, as proposed in the June 1960 report of the International Road

Federation, made at the specific request of the Public Works Ministers of the Central American Republics and Panama. The Highway Authority membership would include the United States and the Republics of Guatemala, El Salvador, Nicaragua, Honduras, Costa Rica, and Panama. The United States would contribute 50 percent of the cost of operating this Authority for the first 5 years, with the remaining 50 percent to be borne by each of the Central American Republics in proportion to its share of the highway mileage.

It is anticipated that such assistance will result in a fully stabilized highway with increasing traffic, economy, and tax revenues for the republics, which will assure their assumption of the maintenance responsibility guaranteed by original agreements. The U.S. share of maintenance costs under such an arrangement could be financed through foreign-aid funds.

While the amount to be authorized by S. 2529, \$28 million, would permit continuation of needed construction of the Inter-American Highway, it would not be sufficient to complete the highway to the necessary degree. We recommend, therefore, that the amount of \$32 million be substituted in S. 2529 for the amount of \$28 million in order that sufficient funds will be available to complete the needed construction.

Senator CHAVEZ. Now there, Mr. Witness, another of your statements. That is really an Alliance for Progress. The kinds of cars that would roll on that road come from South Bend, Detroit, and Toledo, and the road would carry groceries and commercial goods from the United States.

Mr. WHITTON. You are doing better than I am, Senator.

Since the amount of \$32 million is predicated on there being positive assurance of adequate maintenance, we also recommend that S. 2529 be amended to provide that the \$32 million authorization for completion of the highway shall not be obligated until some adequate provision for maintenance is achieved.

If S. 3590 is enacted, or if S. 2529 is amended in accordance with our recommendations, and necessary maintenance arrangements are achieved, we feel that this essential international highway system can be completed under circumstances which will, in the long run, be mutually advantageous to the United States and to all the participating countries.

I appreciate this opportunity to discuss these pending bills with you and would also like to submit to the subcommittee material for the record, including charts and tables on the status and progress of the Federal-aid highway program, which is a part of this statement, sir.

Senator McNAMARA. Without objection, the material mentioned will be included in the record with your statement.

Are there any comments? Senator KERR.

Senator KERR. Under H.R. 12135, and the corresponding S. 3136, what provisions are there, Mr. Whitton, if any, to take money out of the Highway Trust Fund for use not now authorized?

Mr. WHITTON. Only for the payment of moving of those homes, people and families, and business.

Senator KERR. Is there any other?

Mr. WHITTON. No, not to my knowledge; no, sir.

Senator McNAMARA. Your language here, at some point, indicates that there are other things. I don't know what you meant by that. You go right ahead, Senator, and I will find this language that was bothering me.

Senator KERR. Are the figures in S. 3136, with reference to other items, the A-B-C and Interstate, the same in S. 3136 and H.R. 12135?

Mr. WHITTON. You mean on the removal cost?

Senator KERR. No, forest highways and—

Mr. WHITTON. They are the same, I believe, Senator.

Senator KERR. Did you outline, in your statement, the difference in the authorizations proposed in H.R. 12135 for the various items from what they are in the current fiscal year of 1962?

Mr. WHITTON. I don't believe I did, sir.

Senator KERR. Can you give those to me? The present forest highways, under H.R. 12135, is \$33 million.

Mr. WHITTON. That is the same.

Senator KERR. The same?

Mr. WHITTON. Yes, sir.

Senator KERR. Forest development roads and trails, an additional \$10 million for the fiscal year ending June 30, 1963. What is the current authorization for 1963?

Mr. WHITTON. Pardon me just a moment, Senator.

Senator McNAMARA. While he is looking that up, section 7 of the House bill, authorizing transportation planning in certain urban areas, would also be a drain on the fund, would it not?

Senator KERR. What page?

Senator McNAMARA. Page 7.

Mr. WHITTON. Forest development, roads, and trails, are \$35 million for 1962 and \$40 million for fiscal year 1963. This is \$10 million, additionally, for 1963.

Senator KERR. They were \$40 million for 1963 and this would make it 50. So there would be a 10 million for 1963 and then a 30-million increase for—

Mr. WHITTON. Ten more for 30 million, yes.

Senator KERR. If it goes from 40 to 70, that is a 30-million increase.

Mr. WHITTON. That's right.

Senator KERR. And then for 1965 it would go from 40 to 85. That is more than 100-percent increase.

Mr. WHITTON. Yes, sir.

Senator KERR. Does your statement contain a justification for that recommendation?

Mr. WHITTON. That is done by the other departments, Senator Kerr.

Senator KERR. I didn't understand you.

Mr. WHITTON. That recommendation is made by other departments.

Senator KERR. You have no recommendation for that?

Mr. WHITTON. We have only presented their recommendations. They will support them.

Senator KERR. Of course, they will give us the formula for the allocation of that money as between the States receiving it.

Mr. WHITTON. They are here, as I understand it, to support that.

Senator KERR. You do not refer to it?

Mr. WHITTON. No, sir.

Senator KERR. Now, the public lands development roads, they are under your department, aren't they?

Mr. WHITTON. Yes, sir.

Senator KERR. You see, you have \$2 million for fiscal year ending June 30, 1964. What was it for 1963?

Mr. WHITTON. Three million. That is a new category, there wasn't any public land development road authorization for fiscal year 1963.

Senator KERR. Oh, public land highways is what comes under you, that's on page 3, line 9?

Mr. WHITTON. Yes. That provides 3 million for 1964 and 3 million for 1965.

The same as it was for last year.

Senator KERR. The same as it was for 1963?

Mr. WHITTON. Yes, sir.

Senator KERR. Line 21, 22, and 23 on page 2, are a new section requirement?

Mr. WHITTON. Yes.

Senator KERR. Who would spend that money?

Mr. WHITTON. Mr. Turner says the House bill handles it exactly like the forest roads and trails.

Senator KERR. How is that?

Mr. WHITTON. We think it would eventually be constructed by us.

Senator CHAVEZ. But it would be handled by the Department of the Interior, would it not?

Mr. WHITTON. That's right.

Senator CHAVEZ. In public lands.

Senator KERR. What I am trying to figure out, if that isn't money for the identical purpose available under one or the other designations in the bill.

Senator METCALF. Mr. Chairman, there is a new section in this bill, isn't there, provided for the public lands, section 4 on page 5.

Senator KERR. I understand it is a new section, but is it a new purpose?

Senator METCALF. It is a new purpose.

Senator KERR. What is the difference, for park roads and trails?

Senator METCALF. I could tell you what would happen in certain areas, where we would have a situation to allocate forest roads and trails funds to the Bureau of Land Management, you would give the construction of the roads to the Secretary of the Interior, who would be doing the same sort of thing that the Secretary of Agriculture is doing in some of the national forests.

Senator KERR. Park roads and trails. Who spends that money?

Mr. WHITTON. The National Park Service.

Senator KERR. Is that the Department of Interior?

Mr. WHITTON. Yes, sir.

Senator METCALF. They cannot spend it for the millions of acres of the Bureau of Land Management lands.

Senator KERR. Forest highways, who spends that money, section 2? \$33 million a year.

Mr. WHITTON. The work is done by us, Senator.

Senator KERR. I know, but what department designates where it is spent?

Mr. WHITTON. The program is administered in accordance with regulations jointly approved by Agriculture and Commerce.

Senator KERR. Is that Agriculture or Interior?

Mr. WHITTON. Agriculture, Senator.

Mr. KERR. Now, forest development roads.

Mr. WHITTON. That is Forest Service, Agriculture.

Senator KERR. That is Agriculture. Public land development roads in section 3 would be Interior?

Mr. WHITTON. Yes, sir.

Senator KERR. Now, park roads and trails?

Mr. WHITTON. Interior.

Senator KERR. This provides \$22 million for fiscal 1964, and \$25 million for fiscal 1965. How much was there for fiscal 1963?

Mr. WHITTON. We think it is \$18 million but we will check.

Senator KERR. I do too.

Mr. WHITTON. \$18 million.

Senator KERR. Then there is an increase there for fiscal 1964 of \$4 million, and fiscal 1965 of \$7 million for Interior that has jurisdiction of those lands; in addition to the new section 4 providing \$2 million for 1964 and \$4 million for 1965.

Mr. WHITTON. Yes, sir.

Senator KERR. Now, parkways; who spends that? Is that Interior?

Mr. WHITTON. We do the work for the Department of the Interior.

Senator KERR. That is Interior?

Mr. WHITTON. Yes, sir.

Senator KERR. Now, what was that authorization for fiscal 1962 and 1963?

Mr. WHITTON. \$16 million for each year.

Senator KERR. The same?

Mr. WHITTON. The same.

Senator KERR. Indian reservation roads and bridges. Who spends that?

Mr. WHITTON. The Bureau of Indian Affairs, Department of the Interior. We approve the location and plans and supervise the construction.

Senator KERR. Mr. Whitton, do you do the work and they pay you for it. But who does that?

Senator CHAVEZ. Interior.

Mr. WHITTON. Interior.

Senator KERR. Interior. How much was that for fiscal year 1962 and 1963?

Mr. WHITTON. \$12 million for each year.

Senator KERR. So that category has a 33 $\frac{1}{3}$ -percent increase, or \$4 million for 1964 and \$6 million for 1965.

Mr. WHITTON. Yes, sir.

Senator KERR. So that in one, two, three categories, Interior already has \$4 million for each of two items for 1964, and \$7 million in one and \$6 million in another for fiscal year 1965; in addition section 4 of \$2 million one year and \$4 million in another year; which is an entirely new section.

Mr. WHITTON. Yes, sir.

Senator KERR. And Agriculture has an increase of \$30 million for 1964 above \$40 million for 1963 under present law, and an increase of \$45 million for 1965 over fiscal year 1964.

Now, only one of these items is handled entirely under "U.S. Public land highways," isn't it?

Mr. WHITTON. Yes, sir.

Senator KERR. And I see that the recommendation there is the same.

Mr. WHITTON. Yes, sir.

Senator KERR. I don't know whether to overcommend or overcriticize you, Interior, and Agriculture.

Are you familiar with the project in the Ouachita National Forest of eastern Oklahoma and western Arkansas which has been before your Department for consideration?

Mr. WHITTON. The Bureau of Public Roads is familiar with it. If you ask me personally, I am not.

Senator KERR. Is Mr. Turner qualified to testify on that?

Mr. WHITTON. I am sure he is, more than I am.

Senator KERR. You know, you could add a whole lot to nothing and not have anything. [Laughter.]

Mr. WHITTON. I think the Senator knows the answer to that question.

Senator KERR. Then if Mr. Turner is willing, I will ask him if he is familiar with it.

Mr. TURNER. Yes, sir; I am, Senator Kerr.

Senator KERR. Would there be any money in this if you were provided \$3 million for 1964 and \$3 million for 1965; would that include any money for those roads in the Ouachita National Forest?

Mr. TURNER. Not directly, Senator. There is about \$50 million for other projects annually in competition with this project that you are interested in.

Senator KERR. Now, you are aware of the fact that the reason that the Ouachita National Forest, at least in Oklahoma and western Arkansas, has to look to this section for any money, is because of the fact that the formula of distribution for \$33 million in forest highways, plus the \$70 million in forest development roads, which is \$103 million, and \$2 million in public land development roads, which is \$105 million, and the \$22 in park roads and trails, which makes \$127 million, and \$16 million for parkways, which makes \$143 million, \$16 million in Indian reservation and roads, which makes a total of \$159 million, provides nothing for the Ouachita National Forest, or practically nothing.

Mr. TURNER. Very little.

Senator KERR. Less than \$50,000 a year, I would say for Oklahoma.

Mr. TURNER. I think that is approximately the figure.

Senator KERR. Well now, in order to be certain that the proposal that the Senator from Arkansas would be before us on, and the Congressman from Arkansas and Oklahoma, and the highway departments from the two States, also, in order that the proposal for the Ouachita National Forest be taken care of out of only one of these designations in which it can look for money, what would that amount have to be, Mr. Turner?

Mr. TURNER. Assuming that all of the increases we might provide went for that particular project, I believe the estimated cost of the project you are interested in would be about \$6 million.

Senator KERR. Does that include what is called the Skyline Drive and what is referred to as the Holsten Valley Road?

Mr. TURNER. Yes, that is the so-called Skyline Drive, Senator.

Senator KERR. The Skyline Drive is different from the Holsten Valley Road.

Mr. TURNER. I believe this does include the Holsten Valley Road. Well over \$6 million is estimated for the work involved.

Senator KERR. In both of them?

Mr. TURNER. Yes, sir; I believe that's right.

Senator KERR. Now, are you familiar with the meeting that has been held between your people and the highway departments of the two States and the congressional representatives of the two States in which certain proposals were made in which the Bureau of Public Roads, and I believe the Interior Department or Agriculture Department would both participate?

Mr. TURNER. Yes, sir; I am familiar with that meeting.

Senator KERR. As I understand it, there was a representative of the Interior Department there also.

Mr. TURNER. Yes, I believe there was.

Senator KERR. Now, the information I had is that although they are asking for \$159 million, as against a little over half that for 1963, as I see it, neither of them is going to be able to do much in the Ouachita National Forest. Is that the impression you have?

Mr. TURNER. Yes, sir; I believe it is, Senator.

Senator KERR. I believe if those two States are going to get anything, they are going to have to look to the Bureau of Public Roads and this section of the bill. Do you concur in that?

Mr. TURNER. I can't answer for those two departments, but I believe that is the statement that they made at the meeting the other day.

Senator KERR. Then that would be about the only basis on which the congressional representatives of those two States could safely count, wouldn't it?

Mr. TURNER. I think that would be a fair assumption.

Senator KERR. I believe under the discussions that were had, the two States were to make the surveys and pay for them and then take the roads over and maintain them when completed.

Mr. TURNER. Yes, sir; that is the discussion we had.

Senator KERR. Now, is that true with reference to the highways for which this \$159 million is provided?

Mr. TURNER. I don't—

Senator KERR. Who maintains those roads?

Mr. TURNER. In the case of forest highways, the State highway departments are maintaining all of those that they are now financing out of these authorizations.

Senator KERR. That is \$33 million of it. The State highway departments maintain those roads?

Mr. TURNER. Yes, sir.

Senator KERR. What about forest development trails and roads?

Mr. TURNER. Those are maintained by the Forest Service.

Senator KERR. In other words, although there is \$7 million in here, or \$85 million in here for 1965, an additional \$10 million above the \$40 million now in the law for 1963, when completed, the Federal Government will have to maintain them?

Mr. TURNER. Those amounts you cite are available for both construction and maintenance, Senator.

Senator KERR. That is the reason they are, it is these amounts.

Mr. TURNER. That is correct.

Senator KERR. Now the public land development roads, under section 4, who maintains those roads? If they are built.

Mr. TURNER. They would presumably be maintained by the Department of Interior.

Senator KERR. Federal Government.

Mr. TURNER. Yes, sir.

Senator KERR. How about the park roads and trails?

Mr. TURNER. Park Service.

Senator KERR. Federal Government. What about parkways?

Mr. TURNER. The same.

Senator KERR. And Indian reservation roads and bridges?

Mr. TURNER. The Federal Government.

Senator KERR. Well, now, anticipating that it would take \$6 million for these roads in the Ouachita National Forest in Oklahoma and Arkansas, and that the highway departments down there, in order not to slow down their participation in the A-B-C and interstate programs, would need to make their surveys and other expenditures which they are to make, and phase those highways in so that they could be in a position to keep their agreement to maintain them after they were completed, they would need an increase for about 4 years. What would these figures need to be raised to in order to insure that the money would be available for that improvement?

Mr. TURNER. Assuming a 4-year program, you would have to increase it about a million a year.

Senator KERR. A million and a half, if it is going to be 6 million, wouldn't it?

Mr. TURNER. Yes, Senator, there is some part of this road, however, which is not on public lands, and the public lands money could not pay the cost for the work involved in that area.

Senator KERR. I understand that. There is a very small part of the land over which the road would go that would be privately owned, that is owned outside the national forest, and, of course, the State would have to pay that part of it.

Mr. TURNER. I believe that amounts to about 30 percent of the mileage, Senator.

Senator KERR. I see. I see. In other words, then, the 6 million figure you gave was the overall—suppose the Forest Service bought the additional land, which they possibly might do?

Mr. TURNER. The land on both sides would have to be in complete public ownership in order to qualify for the use of the public lands fund under this section of the bill.

Senator KERR. If that were contemplated, it would need to be an additional million and a half a year?

Mr. TURNER. Yes, sir.

Senator McNAMARA. Senator, since you make reference to a public hearing, was there a record made of this hearing and should we make it a part of our records?

Senator KERR. This witness was there.

Senator McNAMARA. You think there is no need for making that a part of our record?

Senator KERR. No.

Senator McNAMARA. I was just trying to make the record complete.

Senator KERR. I want to make it complete, and if Mr. Turner thinks there is something else that should be needed to make it complete, I would like him to have it.

Mr. TURNER. This project, Senator, is in competition with other projects.

Senator KERR. I understand that, but the purpose of the Senator from Oklahoma is to remove it from that competition.

Mr. TURNER. I understand that. We will have to solicit all the other highway departments of all the other States to secure their proposals for the use of this money.

Senator KERR. With the million dollars or million and a half a year in here on the basis that priority is being given to the project the Senator from Oklahoma discussed, would you have to interrogate other highway departments about the use of it?

Mr. TURNER. If the committee indicates that that is what they want, if that is what they want the increase used for, we certainly would have to honor that.

Senator KERR. Would you do it willingly or unwillingly?

Mr. TURNER. We would do it willingly, of course.

Senator KERR. On page 7, paragraph (b), let's read the beginning of section 6:

The last sentence of subsection (e) of section 103 of title 23, United States Code, is amended to read as follows: "This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area."

It goes on—

The amendment made by subsection (a) of this section shall apply to apportionments made before as well as after the date of enactment of this Act.

What is the effect of that, Mr. Turner, or Mr. Whitton?

Mr. TURNER. As you know, Senator Kerr, the Federal-aid secondary funds at the present time are available only for expenditure outside of the urban areas. When a secondary system extends inside an urban area and you want to improve that secondary system, you must use urban funds.

The purpose of this amendment would be to permit the use of Federal-aid secondary funds on either the rural or the urban portions of the Federal-aid secondary system.

Senator KERR. Now can a part of the secondary system, which is primarily a farm to market road, become a part of the urban system?

Mr. TURNER. Federal-aid secondary system routes are laid out to connect with some other Federal-aid system route. If they have to come into—come inside an urbanized area in order to make a connection, we do that regularly.

Senator KERR. Well now, if a primary road comes into an urban area to connect to the Interstate System, does it automatically become a part of the Interstate System?

Mr. TURNER. No, sir; it remains part of the primary system. But in the case of the illustration you are giving, the law already permits the use of either urban or primary moneys on that extension in the urban area.

But in the case of Federal-aid secondary systems, where they extend into the urban areas, there is a restriction on the use of the funds so that we cannot use the——

Senator KERR. Urban money?

Mr. TURNER. We cannot use the secondary fund on the urban portion.

Senator KERR. Why should you? Why shouldn't that be built with the urban allocation?

Mr. TURNER. Congress, of course, has expressed that opinion in the 1954 act by restricting the improvements on those portions of the system to our urban moneys. And we believe that there ought to be flexibility to permit the improvement to be made either urban or rural, with secondary funds.

Senator KERR. Well now, doesn't present law permit a transfer of a certain percentage of one or the other?

Mr. TURNER. Yes, sir.

Senator KERR. And that is not adequate enough to do the work?

Mr. TURNER. No; not to the degree that we believe is desirable.

Senator KERR. This is in here on your recommendation?

Mr. WHITTON. Yes, sir.

Mr. TURNER. Yes, sir.

Senator KERR. Well, that is fine, if that is the case. It looked to me like it was in there on somebody else's.

Mr. WHITTON. No, sir; it is not, Senator.

Senator KERR. Why do you make it retroactive?

Mr. TURNER. It is retroactive only with respect to the remaining balance of the funds that we have, Senator.

Senator KERR. Is that made clear in this language?

Mr. TURNER. Yes; because we would not—all of the funds that we have available which have not been obligated, we would want to apply this to it. Otherwise, it is extremely difficult to administer.

Senator KERR. In other words, this does not go back and affect apportionments that had been made and spent, but only those that have been made and not spent?

Mr. TURNER. That's right; the remaining balance of the funds available.

Senator KERR. I see.

That is all I have, Mr. Chairman.

Senator McNAMARA. Thank you, Senator. You raised a question that I was referring to in relation to this Santa Claus bit.

Senator KERR. Yes; I hoped you would clarify that.

Senator McNAMARA. I want to say that I was primarily concerned with the relocation section.

Senator KERR. There is an estimate in the record of what that would cost, is there?

Senator McNAMARA. Yes; the section indicated it was \$75 million.

Senator KERR. A year?

Mr. WHITTON. Total.

Senator McNAMARA. For the life of the program.

Senator KERR. How much a year?

Mr. WHITTON. It is over a period of 10 years. Seven and a half million a year.

Senator McNAMARA. This section 134, though we are dealing with transportation planning in certain urban areas, appears to be another drain on the highway trust fund.

Mr. WHITTON. That would come out of the 1½ percent fund set aside for planning. It already comes out.

Senator McNAMARA. Why do they have this section in here if it already comes out?

Mr. WHITTON. We put it in there to set up a requirement that a comprehensive development plan be made for an urban area or that there be a continuing comprehensive planning process before we would approve a project in that area, beginning July 1, 1965.

Senator McNAMARA. All right. And you again refer on page 9, "highway planning and research funds, section 2, 1½-percent of the sums apportioned for each fiscal year beginning with the fiscal year 1964," and so on. Is that an additional drain on the highway trust fund or not?

Mr. WHITTON. Yes; it would be coming out of the trust fund; it would be money for research rather than for construction.

Senator McNAMARA. Is this in answer to Senator Kerr's question to what I was talking about? I guess he wasn't paying any attention to this.

Senator KERR. I am like you, I am attending to the staff. How much money did you say it would cost?

Senator McNAMARA. We didn't ask for a total.

Mr. WHITTON. That would be \$5 million a year, but it comes out of the trust fund.

Senator KERR. It looks like you are hitting it for about \$12.5 million a year on these two items.

Mr. WHITTON. Yes.

Senator McNAMARA. Is there any question about my reaction? I don't like it.

Now, Senator Miller, do you have any questions?

Senator MILLER. Yes, Mr. Chairman. First, if I could have the chairman's attention, the senior Senator from Kentucky has a serious illness in his family necessitating his return to his home State of Kentucky, and he would like to be excused today and tomorrow from the hearing.

I would like to ask Mr. Whitten a couple of questions.

At the bottom of page 25 of your prepared statement, you pointed out that although we, the United States, had obligated itself to pay for the entire cost of construction of the Rama Road project, nevertheless Nicaragua has expended approximately \$4.8 million.

How did that happen? We made an obligation or commitment to take care of the whole project. What has happened which has caused Nicaragua to come along and put in \$4.8 million?

Mr. WHITTON. I am going to ask Mr. Turner to answer that.

Senator MILLER. Yes, either one of the witnesses would be fine.

Mr. TURNER. Nicaragua was interested in the completion of the road of course, and they voluntarily expended some of their own funds in

order to move it along at a faster rate than our funds were available for construction.

Senator MILLER. In other words, there was no breach of agreement on our part?

Mr. TURNER. None whatsoever. They merely augmented the funds we had available, because ours were not sufficient at the time to do the entire job.

Senator MILLER. Now, where did they get those funds, do you know?

Mr. TURNER. Part of them had come from their normal highway program and part of them have come from a special tax which they levied on coffee exports from the country.

Senator MILLER. Do you know how much of this \$4.8 million was spent in any particular years, do you have a schedule of that?

Mr. TURNER. I don't have it with me, I have it available at the office.

Senator MILLER. I was curious as to whether or not any of this \$4.8 million directly or indirectly might have come from our foreign-aid program.

Mr. TURNER. It does not come from our foreign-aid program as I understand it.

Senator MILLER. Not directly.

Mr. TURNER. I don't believe it even comes indirectly from the foreign-aid program.

Senator MILLER. All right. Now, the second question. On page 29, Mr. Whitton, your statement says in the last sentence of the first paragraph—

As a practical matter, a majority of the countries concerned have been unable to maintain the completed portions of the highway, despite the existence of agreements providing for full maintenance by the countries concerned.

Why is that?

Mr. WHITTON. They just haven't the know-how and equipment to do it. We think by establishing this authority that we can get the necessary equipment and the necessary personnel to get them started and get them trained to do the job.

Senator MILLER. This isn't a matter of money?

Mr. WHITTON. Yes.

Senator MILLER. It is a matter of money?

Mr. WHITTON. It will be.

Senator MILLER. The reason why they haven't fulfilled their commitment up to now is—

Mr. WHITTON. It's partially money, I am sure but also their lack of understanding of highway maintenance.

Senator MILLER. Have we made any efforts to provide them with technical assistance or through our foreign-aid program to enable them to obtain the equipment necessary to fulfill the job?

Mr. WHITTON. Let me ask Mr. Turner if I may?

Senator MILLER. Certainly.

Mr. TURNER. We worked with them for years on this problem, but it did not get solved.

Senator MILLER. What seems to be the reason why it isn't solved?

Mr. TURNER. Well, you have a part of the reason in the question and answer with respect to cost and money. A part of it has to do with

general philosophy of those people. Generally, they do not appreciate the importance of maintenance to the degree that we do in our country. That is true not only with highway maintenance but any other activity that they engage in.

Senator MILLER. Isn't this a part of the failure of the self-help aspect of our Alliance for Progress program?

Mr. TURNER. I don't think it has been a complete failure. It is a question of time and education, training.

Senator MILLER. I am wondering why a 5-year period has been selected. I believe it is to the tune of 50 percent for a period of 5 years for the United States to participate. Why not 2 years?

Mr. TURNER. Two years would not be adequate because a part of the work would be involved in the stabilization of roadbeds and slopes and roadbed features. And I am sure that 2 years is not an adequate time to permit those things to occur. It would take at least 5 years for a road to settle down, so as to eliminate much of the early post-construction maintenance cost that would be involved.

Senator MILLER. I recognize what you just said now as based upon sound engineering facts; but we are not talking so much about those as we are talking about the self-help philosophy which you and I have been talking about.

It seems to me that 2 years ought to be long enough for these people to get into that philosophy sufficiently for them to maintain those roads.

What you are really saying is that since it takes 5 years for some of these engineering phenomena to occur, that we are supposed to phase in this philosophy of self-help through the same period of time. I cannot follow that. It would seem to me that it would be well to have them undertake some of this self-help program, but we might recognize that we can't expect it to happen overnight, although I don't know how long this maintenance problem has been going on. Let's say it has just started, it seems to me that 2 years would be enough for them to come around to implementing this self-help principle.

Mr. TURNER. I think our experience would indicate that that would not be very probable. I think it would take longer than the 2 years you are talking about.

Senator MILLER. Is what you are just saying inconsistent with the program of the Alliance for Progress, premised upon a self-help philosophy?

Mr. TURNER. I don't believe it is, Senator. I am talking as an engineer and one who has had some experience down there with the country and the people. And I believe it would take a little while to do the job we are talking about doing under this provision.

Senator MILLER. How long has this maintenance commitment been in existence?

Mr. TURNER. It has been in the law since the Congress authorized an increase in funds that began about 10 years ago.

Senator MILLER. So what you are really saying here is that we have had this maintenance commitment for 10 years, we still haven't reached the point of where they are practicing a self-help principle, and we expect that with another 5 years, in other words a 15-year period, that

the self-help principle will come into fruition insofar as maintenance is concerned.

Mr. TURNER. We have not completed the highway yet, so that has not been effected. Until we get the highway completed, we don't really have much of a job of maintenance for these people to do. It is only after we get that road completed that the maintenance provision will really come into play.

Senator MILLER. Has the maintenance provision not come into play with respect to completed segments?

Mr. TURNER. We have very few completed segments. We have only one country in which work has been completed throughout the whole length of the country.

Senator MILLER. What country is that?

Mr. TURNER. In Honduras we have just recently completed the entire 94-mile section of the Inter-American Highway across that country. In El Salvador there was an old existing road which had been utilized, and that country has done adequate maintenance, but most of that work was done by the country without any assistance from the United States.

Senator MILLER. Are there any completed portions within a country between, say, some of the major cities which have been completed for some time?

Mr. TURNER. Yes. Of course, there are completed sections and maintenance has been in some cases satisfactory and others it has not. Only in the cases that I have mentioned is there a completed section for highway department work as an entity. It is difficult to do maintenance on just a small portion of the highway system. It is uneconomical and until they get the entire system completed, I doubt if they can do economical maintenance.

Senator MILLER. Thank you very much, Mr. Turner.

I have no further questions.

Senator RANDOLPH. Mr. Chairman, could I comment on the observations made by my colleague from Iowa?

And I want to take 10 seconds before he leaves for the telephone call to indicate that I had somewhat the same feeling that he has expressed. I wondered why, and the questions were answered for me when I was privileged with our colleague, Senator Gruening of Alaska, to inspect once again the progress being made on our Inter-American Highway.

I say to my colleague from Iowa and members of the committee that our inspection trip was made in the latter part of December 1961, and the early part of January 1962. We found the matter under discussion was a perplexing problem. We discussed it often. Mr. A. F. Ghiglione of the U.S. Bureau of Public Roads accompanied Senator Gruening and myself on that trip.

And I raised the point several times: What about the maintenance? I could see that we had invested large sums of money in this highway and I could sense, and I could see, that deterioration had already or would soon set in, especially with the increased flow of traffic from Mexico to the east, and, in some degree, from Panama to the west.

So we made a very special study of the subject of maintenance and the time required when the United States would need to, let us say, take a firm hand in seeing to it that necessary maintenance took place.

I call to the attention of my colleague the report which we filed. The chairman of this committee transmitted it to the U.S. Senate. This was done the latter part of February.

On pages 10 and 11 of this report of progress, we have set forth what I believe to be valid arguments why this maintenance should be carried forward for a period of time, a reasonable period of time, so that the investment which the United States has in this road will not be lost. We have stressed the deterioration which we know has already begun in a road where the traffic seems to be heavier and where they contemplate heavy flows of travel in the future years.

I would ask, Mr. Chairman, that part of the report, pages 10 and 11 of the committee print filed with the 87th Congress, 2d session, transmitted by our chairman on February 28, 1962, be included at this point.

Senator MILLER. Would the Senator yield?

I believe that pages 11, 12, and 13 are merely pictures. I wonder if the Senator would not want pages 10 and 14 to be the portion that he wishes to include in the record, if I am following—

Senator RANDOLPH. The maintenance paragraphs are on page 10 and—

Senator MILLER. Fourteen.

Senator RANDOLPH. Fourteen.

Senator MILLER. Yes, sir.

Senator RANEOLPH. Thank you. I modify my request in accordance with your suggestion.

Senator McNAMARA. Senator Randolph will make appropriate portions of that report available to the staff and will see that the reporter is furnished with the exact information, which will be included in the record at this point.

(The information referred to follows:)

The agreements executed between the United States and each country with respect to construction of the Inter-American Highway provide that such countries will maintain the highway to satisfactory standards at their own expense. It has been found that the heavy cost of maintenance has exceeded that anticipated, and some of the countries have met with difficulties in financing proper maintenance of the highway.

The degree of maintenance of the highway varies in the different countries. In certain republics the maintenance has been very good, while in others there has been practically none. Slides, deterioration of pavement, and blocking of drainage facilities have limited travel in some areas. In addition to slides, heavy damage is also caused by bank caving and erosion of road embankment and pavement by adjacent streams during the rainy season. Some of the countries require rubber tires on oxcarts traveling on the highway, but there are many carts with steel tires still in use which cause some damage to the pavement. In many sections, removal of slides and other work normally classed as maintenance has been performed with use of construction funds. The proper protection of the funds invested in the highway requires that the completed road be adequately maintained. It is hoped that maintenance of the highway will improve as the highway departments in the various republics improve their organization and gain experience in this type of operations.

The Bureau of Public Roads has been concerned about the future maintenance of the highway. Various Republics and the International Road Federation have advocated the establishment of an authority composed of the Central American Republics and the United States to maintain the highway throughout its length on a cooperative basis. Such an authority would appear advantageous, and could be assigned additional responsibilities with respect to other serious problems in connection with travel on the highway, such as customs and immigration procedures at the borders, policing, regulation of truck weights and

speeds, uniform highway signs and markings, and regulation of development for the benefit of the traveling public along the highway.

The problem of maintenance is believed to be a very serious one. In the United States completed Federal-aid highway projects are turned over to the various States for maintenance and policing, under agreements similar to those executed with the Central American Republics for maintenance of the completed highway at their own expense. Possible justification exists for initial contribution by the United States toward maintenance of the highway by providing technical advice and assistance in training personnel, but the question arises as to whether this is to be a continuing program, or whether adequate maintenance will be performed by the Republics. With the anticipated traffic over the highway, it will deteriorate rapidly unless properly maintained.

Senator RANDOLPH. I thank the chairman.

Senator McNAMARA. This is all in connection with your recommendation to set up this maintenance authority?

Mr. WHITTON. Yes, sir.

Senator McNAMARA. Do you have any comment, Senator Metcalf?

Senator METCALF. Mr. Chairman, I do not have a specific project in mind such as the Senator from Oklahoma, but I want to ask about some areas in Montana so I can familiarize myself with the general bill.

Are you familiar with that area through Glacier National Park where Highway 2 goes through entirely within the park boundaries on both sides?

Mr. WHITTON. I have been through there, Senator, but I would not claim to be familiar.

Senator METCALF. Who would build such a road? Under what categories would those come, a primary road through the national park?

Mr. WHITTON. The National Park Service.

Senator METCALF. This would come under subparagraph 5, "Park roads and trails, \$22 million"?

Mr. WHITTON. Yes, sir.

Senator METCALF. Then Highway 2 breaks out of the park, as you recall, and goes through the national forest for 30 or 40 miles, and that is completely owned on both sides, too. Where does the money come for that?

Mr. WHITTON. The forest highway funds.

Senator METCALF. That could come from—

Mr. WHITTON. Paragraph 2.

Senator METCALF (continuing). Paragraph 2.

Now, move along eastward into that area just north of the Fork Peck game range and north of the Missouri River, and you want to build a road down through that federally owned Bureau of Land Management land for access and recreational development into the game range. Where would you get money for such a road?

Mr. WHITTON. Is that the one we had the letter about?

Senator METCALF. No, you do not have the letter. I am thinking of providing some access roads to one of the most remote areas, perhaps, left in the United States, since we took the steamships off the Missouri River. And we have the Fort Peck game range, and we have land for more than 100 miles on each side of the Missouri River that is recreational land belonging to the Department of Interior, and then between the highway and that land is grazing land, and so forth, which was acquired during the depression under the Bankhead-Jones Act and

belongs, also, to the Department of Interior. It all belongs to the Federal Government.

How do we provide roads down through that grazing land for access into such areas as the Fort Peck game range?

Mr. WHITTON. Of course, it could come from the normal Federal-aid funds and State funds that are in Montana.

Senator METCALF. Where would that be?

Mr. WHITTON. A-B-C money.

Senator METCALF. Would this new category, the "Forest development roads," provide a fund for such a proposal?

Senator KERR. To which section does the Senator refer?

Mr. WHITTON. Section 3.

Senator KERR. Section 3.

Senator METCALF. Section 3 which, as I read it, says it shall be for roads for the protection, administration and utilization of public lands and resources, and on page 6 it provides that funds available—I am reading from 214(b)—funds available for public land development roads shall be available for adjacent vehicular parking areas and sanitary water and fire control facilities.

I was wondering if this could be used for the development of recreational roads through Federal land further——

Senator KERR. Now that is the public lands development road and trails which is section 4 down here.

Senator METCALF. The Senator is correct.

Could either of those sections be used for the category that I am——

Senator KERR. Not unless the act specified. You see, as I understand it, this section 4 together with the specifications of the purposes for which it may be used are both new.

Senator METCALF. Yes, both new.

Senator KERR. And the language on page 6, lines 3 through 14, apply only to section 4 on page 2, lines 21 through 23.

Senator METCALF. Senator——

Senator KERR. Now, in the previous act the purposes for which forest development roads and trails may be used, that appearing in lines 17 through 20 on page 2, will have an appropriate specification, but in view of the fact that it is another annual authorization for a program heretofore begun and for which the specifications have heretofore been fixed, the funds under section 3 there, forest development roads and trails, would be subject to the language in effect prior to the enactment of this bill.

Is that not correct, Mr. Turner?

Mr. TURNER. Yes, that would be right, Senator.

The new category of public land development roads and trails, of course, is under the Department of Interior, and I think you best ask the questions of them of what they intend to do with it, but in the report from the House side the use of those roads for recreational purposes is described. It apparently is trust fund money.

Senator KERR. The specifics of it are contained in the bill.

Mr. TURNER. Sir?

Senator KERR. The specifics of it are contained in the bill. They are on page 6.

Mr. TURNER. Yes.

Senator METCALF. I would be glad to direct my inquiry to the Interior, if you feel that is the appropriate agency.

Mr. WHITTON. I feel that is proper.

Senator METCALF. Thank you.

Senator McNAMARA. All right.

Mr. Whitton, these changes to which you object in the relocation section of the bill were added on the House floor, were they not, after the bill left the committee?

Mr. WHITTON. I believe——

Senator McNAMARA. What is that?

Mr. WHITTON. They were added on the House floor, yes, sir.

Senator KERR. I believe they conformed with the minority view, the minority views of 13 members of the Public Works Committee of the House of which is contained in House committee report on the bill. I think the House just concurred in the minority views in passing the amendment which put them into effect instead of the majority views.

Mr. WHITTON. Practically so, yes, sir.

Senator McNAMARA. I understand that you are under some pressure here to go along with the view that you have expressed as the administration views with reference to this relocation section.

As the Director of the Bureau of Public Roads, would you recommend that this money be taken out of the highway trust fund or come out of the general fund?

Mr. WHITTON. I think that it should come out of the highway trust fund, and I think that in the long run it will save money.

Senator McNAMARA. How do you explain that position?

Mr. WHITTON. I think we will be able to develop the program faster and get it built sooner by having this provision in the law, and the sooner we get it built the cheaper we will get it built and the more service it will render.

Senator McNAMARA. It seems to me that we might well consider at this point closing that door. Every time anybody comes up here with any extension of the highway program, we have to keep fighting off the dipping into this highway trust fund. I would like to see some kind of addition to the law which would prohibit dipping into this fund from now on, because it seems to me we are constantly fighting off drains, which I think are improper drains on the trust fund. I think this committee owes something to the taxpayers who are paying their gasoline taxes and rubber taxes, and so forth. And I feel very strongly about it.

Thank you, Mr. Whitton.

Mr. WHITTON. Thank you, Mr. Chairman.

Senator McNAMARA. We have some communications from various organizations and associations, and without objection they will be made part of the record at this time.

(The statements referred to follow:)

STATEMENT BY BEN WEST, MAYOR OF NASHVILLE, TENN., ON BEHALF OF THE
AMERICAN MUNICIPAL ASSOCIATION

Mr. Chairman and members of the committee, as chairman of the American Municipal Association's transportation committee and its subcommittee on highways, it is my pleasure to submit the following statement on behalf of the 13,500

cities, towns, and villages throughout the United States represented by the American Municipal Association.

The most critical transportation needs in this country are in urban areas. To emphasize this, I want to quote from a publication issued by the Automobile Manufacturers Association dated March 1961 entitled, "Highways for the Future," the end product of a study made by Wilbur Smith & Associates.

"Nearly one-half of the Nation's motor travel now occurs on city routes that account for only 10 percent of total highway mileage. This urban travel will more than double over the next two decades, while rural highway travel will increase about 30 percent. By 1980, about 60 percent of the anticipated 1,277 billion yearly vehicle miles of travel will be within expanded urban area limits."

So, three-fifths of over 1¼ trillion vehicle miles will occur on 10 percent of the total highway mileage in the United States in the urban areas where the big majority of people live. The impact on local governments of such a statement is truly staggering in view of present day conditions. We have no reason to question this prediction at the present moment. In fact, the prolongation of current traffic trends may make it conservative.

The American Municipal Association favors the enactment of legislation which makes mandatory the use of Federal-aid highway funds for planning and research purposes rather than be diverted for construction purposes.

When we speak of a program for developing better municipal transportation plans, transportation should be regarded in its generic sense and not limited to the present day dominance of the Interstate and Defense Highway System, the traffic impact of which often overshadows the utilization in an efficient manner of modes of transportation other than the rubber-tired vehicle. Transportation can be defined as the movement of people and goods into those areas wherein they want to go, or are needed, in an economical fashion and with a minimum of inconvenience. No good method of transporting people and goods from one place to another with reasonable cost factors has ever been discarded. The pedestrian who desires to walk along a sidewalk at 2 miles per hour is just as essential to the master transportation plans of a community as the automobile at 80 miles per hour and the jet aircraft at 650 miles per hour. A good transportation planning program for any community will consider all the best features of every mode, each in its proper place, and each with differentiating functions and services.

To do this requires funds. Urban transportation studies do not come cheap. Many of our member cities have been conducting for some years now, transportation planning programs. I can assure you that without Federal financial assistance cities cannot do this. At the same time, I do not see how cities can continue to function properly without adequate planning programs.

H.R. 12135 requires the Secretary of Commerce, beginning no later than July 1, 1965, to determine that Federal aid projects in urban areas of over 50,000 population be based on the results of a continuing planning process before approving those projects. We thoroughly approve of the requirements of this section. I want to point out, however, that cities cannot arrive at plans and programs alone. This is particularly so in the smaller communities. Technical assistance at least at the outset must come from State and Federal agencies. Also, long-range programs for State highway improvements in urban areas should be developed and published as soon as possible.

Our cities are vitally interested in the Federal-aid primary and secondary highway systems and their extensions in urban areas. We favor the enactment of the provisions in H.R. 12135 calling for increases above present levels of \$25 million annually. While our national municipal policy calls for the completion of the Interstate System on schedule, we do not believe that such increases would seriously hamper reaching this goal. In fact, such increases would delay the completion of the Interstate System by only a short time.

The provisions which would amend title 23, United States Code, regarding secondary highway extensions in urban areas, receives our fullest support. Secondary as well as major city streets within the corporate limits of municipalities should be eligible for Federal aid in the same proportion that Federal aid is available for the roads outside cities. Unfortunately, at the present time, secondary funds cannot be spent on secondary urban extensions, which may now be financed only with Federal-aid urban extension funds. We urge you to give your favorable consideration to this section.

Our national municipal policy recommends that "family and business relocation payments should be made available to those displaced by the interstate

highway program on the same basis as they are under the urban renewal program." We therefore agree with the President's transportation message, which says: "I recommend that assistance and requirements similar to those now applicable to the urban renewal program be authorized for the Federal-aid highway program and the urban mass transportation program."

I can tell you that it is extremely awkward for the mayor of a city to try to explain, when a highway project is adjacent to an urban renewal project, why tenants in the urban renewal area receive relocation payments and tenants in the highway area do not. It seems simple justice that all citizens should be treated alike when they are displaced by Federal-aid projects.

In 1939, 23 years ago, the text of the Bureau of Public Roads report to Congress, "Toll Roads and Free Roads," clearly stated and emphasized the needs of urban and municipal areas. Then in 1944, the Bureau of Public Roads inter-regional highways report submitted to the Congress contains this statement:

"Now, with the congestion of the transcity routes replacing rural highway mud as the greatest of traffic barriers, emphasis needs to be reversed and the larger expenditures devoted to improvements of the city and metropolitan sections of arterial routes."

Through the years since 1944 many steps have been taken to improve urban transportation. We feel that H.R. 12135 provides a means toward achieving further constructive steps to improve the urban transportation situation. In short, we approve H.R. 12135 as passed by the House of Representatives.

AMERICAN AUTOMOBILE ASSOCIATION,
Washington, D.C., August 3, 1962.

Senator PATRICK V. McNAMARA,
Chairman, Roads Subcommittee,
Senate Public Works Committee,
U.S. Senate, Washington, D.C.

DEAR SENATOR McNAMARA: We sincerely hope that you will have an opportunity to read the attached statement before the commencement of hearings of the Roads Subcommittee of the Senate Public Works Committee on Tuesday morning.

We have been very close to all of the elements involved in the development of the Federal-Aid Highway Act of 1962 to date and feel that the points of view expressed in the enclosed statement, particularly as to those sections of the bill which we support, are worthy of your most careful consideration.

One of our primary objectives—and I am sure that you share this viewpoint—is that we should protect the integrity of the Federal-aid highway program, and that is the objective which we are seeking in advocating the points of view set forth in the attached statement.

It is requested that you include the attached statement as a part of the record at the opening session of the hearings.

Thirty copies of the attached statement will be hand delivered to the clerk of the Roads Subcommittee.

Very sincerely yours,

RUSSELL E. SINGER,
Executive Vice President.

STATEMENT OF AMERICAN AUTOMOBILE ASSOCIATION

The American Automobile Association is appreciative of the opportunity to present its views on pending highway legislation, with particular reference to H.R. 12135. As an organization representing the best interests of passenger-car owners and users, we have naturally been concerned with highway development since our inception. We strongly supported the expanded Federal-aid highway program adopted in 1956, with special emphasis on the National System of Interstate and Defense Highways. We are therefore most anxious that no legislation, however well intentioned, be enacted which might disrupt the carefully laid plans developed by the Congress which set a target date for simultaneous completion of the Interstate System in all the States.

Because of the importance of the Interstate System to the national welfare, to the general economy, to the national defense, and to the saving of lives, orderly progress on this system with nearly simultaneous completion in all the States is clearly in the public interest.

A-B-C AUTHORIZATIONS

We believe that improvement of Federal-aid primary and secondary routes, with their urban extensions, should go forward along with the Interstate System. Hence, we strongly support the authorization schedules for these roads contained in section 2 of H.R. 12135.

EXTENSION OF SECONDARY ROADS INTO URBAN AREAS

We also support section 6, providing for the further extension of certain parts of the Federal-aid secondary system into and through urban areas so as to provide for an integrated and connected system. We believe this is a logical and proper recommendation; it is in line with some of our basic policies which stress the need for properly integrated Federal-aid highway systems and the great importance of urban highways.

RELOCATION ADVISORY ASSISTANCE

We also support the change that was made on the House floor which limited Federal responsibility to "relocation advisory assistance." As reported out of the House Public Works Committee, the proposed new section dealing with relocation assistance carried the provision, under paragraph (b), that before approving any Federal-aid project, the Secretary of Commerce would have to be given satisfactory assurance that there existed "one or more feasible methods" for the relocation of families displaced by any Federal-aid highway project. On the floor of the House, this was amended to limit the requirement to the provision of relocation advisory assistance.

The American Automobile Association supported this amendment because it was felt that the language in the bill, as reported out by the committee, placed extraordinary and vaguely defined powers in the hands of the Secretary of Commerce, and that the provision might well serve to disrupt the orderly development of the Federal-aid highway system by creating unreasonable delays resulting in substantially increased costs of rights-of-way and construction. We strongly urge that the language in paragraph (b) of the relocation advisory assistance amendment, as passed by the House, be retained.

As to paragraphs (c) and (d), providing payments from the highway trust fund for relocation of persons and businesses, we would like to point out that the Select Subcommittee on Real Property Acquisitions of the House Public Works Committee is currently considering this problem as it relates to all forms of Federal and federally aided construction. Instead of considering relocation reimbursement as part of construction costs of highways, it seems to us that orderly procedure would call for consideration of relocation costs due to highway construction in the context of a national policy governing all Federal and federally aided construction projects as developed by the Congress.

Furthermore, material developed by the House roads subcommittee showed that estimates as to the cost of these proposed reimbursements vary all the way from \$50 to \$200 million. In any event, it is questionable whether such costs are a proper charge against the Highway Trust Fund which was established for the primary purpose of building roads.

TRANSPORTATION PLANNING IN URBAN AREAS

We support the changes made by the House Public Works Committee in section 7 of H.R. 12135, pertaining to transportation planning in certain urban areas. Section 7 originally provided that, beginning no later than July 1, 1965, before approving highway projects in any urban areas, the Secretary must make a finding that such projects "are consistent with adequate comprehensive development plans for the metropolitan areas, or are based on the results of a continuing comprehensive transportation planning process carried on cooperatively by the States and local communities, and that the Federal-aid system so developed will be an integral part of a soundly based, balanced transportation system for the areas involved."

It is our view that any such requirement would subordinate the highway program to other community-developed factors, would make highway projects contingent upon decisions and actions (or lack of action) by units of government outside the highway field, and might well place the Secretary of Commerce in the position of being unable to carry out, on schedule, the interstate highway program as directed by Congress.

Fortunately, this section was amended in the House Public Works Committee to limit the requirement to a finding that highway projects in urban areas of more than 50,000 population are based upon a continuing comprehensive transportation planning process.

We believe this provision adequately assures comprehensive transportation planning in urban areas without threat of delays and disruption of the urban portion of the interstate highway program.

We, therefore, respectfully urge that the present language of section 7 be retained, and that no language be added which would make urban highway projects contingent upon either comprehensive development plans or the development of a balanced transportation system.

MASS TRANSIT USE OF HIGHWAY RIGHTS-OF-WAY

There is also pending before your committee S. 2780, which would permit the use of highway rights-of-way for passenger rail transit systems in metropolitan areas. We strongly recommend that if provisions of this bill are adopted, it be clearly spelled out that the rights-of-way adopted for rail transportation systems be paid from sources other than the Highway Trust Fund and State highway user tax revenues.

ROADS FOR RECREATION

Authorizations for highways on lands under Federal ownership control or jurisdiction are or should continue to be a charge against the general funds of Government and not against the highway trust fund. On that basis, we heartily support section 4 of H.R. 12135 and section 3 of S. 1159, providing authorizations for public lands, roads, and trails and forest recreation and access roads. The AAA has long felt that recreational resources have failed to keep pace with the growing requirements of the American people, and we hope that these recommended roads for public lands and our great national forests would greatly aid in opening up new recreational resources for the American people.

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.,
Washington, D.C., August 2, 1962.

Senator PAT McNAMARA,
*Chairman, Subcommittee on Public Roads, Senate Public Works Committee,
U.S. Senate, Washington, D.C.*

DEAR SENATOR McNAMARA: The Associated General Contractors of America, Inc., on behalf of the nearly 7,300 construction firms composing its membership, appreciates this opportunity to express its support of H.R. 12135, a bill to provide funds to continue construction of the primary, secondary, and urban road system on an orderly basis.

AGC supports H.R. 12135

Highway contractor members of the AGC, according to an analysis of Bureau of Public Roads figures, perform 70 percent of the Federal-aid construction on the primary and interstate systems. This important part of the industry, and our association as a whole, firmly supports H.R. 12135.

At our 43rd annual convention, held this year in Los Angeles, the following resolution was adopted:

"FEDERAL HIGHWAY FUNDS

"The 43rd annual convention of the Associated General Contractors of America, Inc., meeting in Los Angeles, Calif., February 26 to March 1, 1962, urges the 87th Congress to enact legislation to provide funds necessary to permit the continued orderly expansion of the primary, secondary, and urban road system."

Size of A-B-C program

We note that H.R. 12135 provides \$950 million for fiscal 1964, and \$975 million for fiscal 1965, thus returning to the intent of Congress regarding incremental increases in the A-B-C program as indicated in the hearings on the Highway Act of 1956. A point of great merit in the A-B-C program is its orderly continuation from year to year, a point we have emphasized in each of our appearances before the Congress. This feature—a sustained level of contract awards—has a direct bearing on the level of contract costs to be expected.

It is impossible to conduct a highway construction program economically on a stop-and-go or peak-and-valley basis.

The responsible highway contractor of today must be able to plan ahead for the expected amount of construction work obtainable in order to conduct his business enterprise in an effective and efficient manner. We believe this bill encourages and supports orderly planning.

Highway construction a large employer

The A-B-C program, like other highway construction, is a prime generator of employment. According to the Bureau of Public Roads, each billion dollars of Federal-aid highway construction provides on-site employment for approximately 48,000 men, with a weekly payroll of about \$4,650,000.

In addition to the on-site employment, there is at least as much and probably more off-site employment generated. The bill you are considering will provide, with State matching funds, \$3,850 million, or employment for 192,000 men earning a weekly payroll of about \$18,600,000.

Diversion of highway funds

We also wish to restate at this time our long-standing opposition to the use of money in the highway trust fund for any purpose other than the construction of highways and administrative functions of the Bureau of Public Roads.

In this connection, our 43rd annual convention adopted a pertinent resolution on a matter with which we are particularly concerned. It reads:

"TAXATION OF HIGHWAY CONTRACTS AND MATERIALS

"Whereas certain State and local taxes are estimated to cost the highway trust fund \$50 million a year, and

"Whereas this reduces, by the same amount, the funds available for the construction of highways, the purpose for which the trust fund was established: Now, therefore, be it

"*Resolved*, That the 43d Annual Convention of the Associated General Contractors of America, Inc., meeting in Los Angeles, Calif., February 20-March 1, 1962, urges the 87th Congress to enact legislation prohibiting Federal-aid participation in taxes applied to gross receipts of highway contractors, and sales taxes applied to materials used in highway contracts."

Such taxation is, of course, borne largely by the trust fund: 50 percent on A-B-C construction and 90 percent on the Interstate.

We urge this committee to give this matter serious consideration at the proper time, and to take any action possible to eliminate these discriminatory taxes.

Section 3 of H.R. 12135, "Assistance for Displaced Families and Businesses," also concerns us in this respect. In our testimony on H.R. 11199 before the House Public Works Committee we stated that while this provision seemed to be a logical solution to an often vexing problem, we were opposed to the use of highway trust fund money for its support. We reiterate that position here. We can say, however, that we support this provision provided its expenses are not borne by the trust fund.

A-B-C system vital to Nation

We do not desire to detract in any way from the undoubted importance of the Interstate System, but we believe that the primary and secondary roads are still the most important to the vast majority of our people in their daily lives. The farmer hauling his produce to market, the wage earner commuting to work, the housewife on her errands—to these and millions like them the A-B-C system is a necessary and vital part of their lives.

This committee has always demonstrated a keen understanding of these needs, and has taken constructive steps to meet them. We have every confidence that you will continue to uphold that record.

Contract construction aids program

The highway contracting industry is highly competitive, and this competition is itself the best protector of public funds. In the calendar year 1961, 38,466 separate bids were received for the 6,653 highway contracts awarded, an average of 5.8 bids per job. The 6,653 contracts were awarded to 3,750 different firms, at prices ranging from slightly less than 1 percent to 20.1 percent under the engineers' estimates for those jobs. This represents a savings to the taxpayer of \$298,856,014 in 1961 alone.

In the years 1957-61, the engineers' estimates for all Federal-aid highway work was \$16,643,583,555. This is what the States considered a fair and reasonable price for this work. In fact, however, the contractors built it for \$14,978,925,200, 10 percent below those estimates. This represents a savings of \$1,664,658,355.

It remains clear, therefore, that free and open competitive bidding is the most effective guardian of public works money.

Contractors' prices remain stable

Highway contractors are today performing common excavation for almost exactly the same unit prices as they did 40 years ago, although during that time wage rates, material prices, and equipment prices have risen tremendously. The answer, then, can lie only in improved methods and techniques of construction, and in the contractor's willingness to invest large amounts of capital in new equipment of high productivity. Thirty years ago, for example, a highway contractor could equip himself to do a million dollar job for \$200,000. That same spread today would cost more than \$2 million.

The average highway contractor is constantly seeking to improve his operations, to eliminate waste, and to place himself in a stronger competitive position. He must do this or he cannot survive.

This self-improvement is not a new or recent endeavor; the cooperative activities of the AGC and the American Association of State Highway Officials began in 1921, and have continued for 41 years. These activities have resulted in improved specifications, methods, equipment, materials, construction practices, and tangible savings to the public.

The Bureau of Public Roads-State highway department-contractor team has worked well, and has served the Nation well, for 46 years. The highway contractors will continue to provide the country with well-built highways at economical prices, based on free and open competition, with contracts awarded to the lowest responsible bidder.

We respectfully request that this statement be included in the printed hearings.

Sincerely yours,

WILLIAM E. DUNN, *Executive Director.*

MISSOURI STATE HIGHWAY COMMISSION,
Jefferson City, Mo., August 3, 1962.

HON. STUART SYMINGTON,
U.S. Senator,
Senate Office Building, Washington, D.C.

DEAR SENATOR SYMINGTON: It is our understanding that Senate public hearings on the 1962 Federal-aid highway bill (H.R. 12135) are scheduled for August 7 and 8.

Believing that you may desire to have the opinion of the members of the Missouri State Highway Commission and the highway department's staff, the following information is respectfully submitted.

The provisions of House Resolution 12135, as passed by the House of Representatives July 18 while not entirely satisfactory, are in the main acceptable.

The members of the Missouri State Highway Commission and department are vigorously opposed to any revision of paragraph (b) of section 3 of House Resolution 12135, relating to "Relocation Assistance" appearing in lines 21 to 24, inclusive, on page 3, and lines 1 to 3, inclusive, on page 4, of the proposed highway bill.

This viewpoint is offered for your consideration due to the fact we earnestly believe that, should section 3 be altered to conform with or to be similar to the original language of House Resolution 11199, as introduced by Representative Buckley, of New York, progress on Missouri's Federal-aid road construction will be seriously delayed and its costs considerably increased. Should you desire any elaboration on this observation, please do not hesitate to advise.

Both the Missouri State Highway Commission and department realize that your judgment and action with respect to the 1962 Federal-aid bill will be motivated entirely by a conscientious desire to provide a reasonable and workable measure. Naturally, we solicit your assistance in effecting a highway bill that

will enable Missouri to best maintain satisfactory progress in keeping with the intent of prior Federal-aid highway legislation.

Yours very respectfully,

J. J. CORBETT,
Chief Engineer.

NATIONAL WILDLIFE FEDERATION,
Washington, D.C., August 6, 1962.

Senator DENNIS CHAVEZ,
*Chairman, Senate Committee on Public Works,
New Senate Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: Thank you for your letter of July 31, 1962, inviting comments upon your proposal to provide increased authorizations for forest development roads and trails, Indian reservation roads, and public lands highways, and authorization for the construction of national forest recreation and access roads. Due to a conflict in meetings, it will be impossible for me to attend public hearings scheduled for August 7-8, 1962, so I would be pleased to have this letter made a part of the record.

I have just returned from a lengthy trip through portions of the Pacific Northwest. During this trip I was privileged to see or visit several national forests, parks, and public domain areas, traveling by airplane, auto, horseback, and boat.

Without going into detail, I should like to emphasize one particular impression of this trip: the recreational use of outdoor areas by the public is growing by leaps and bounds. We know this situation which I observed in the Pacific Northwest is true in all parts of the Nation. Therefore, I believe there is a definite need for forest roads and accesses which can be justified completely and entirely because of the great public benefits in recreation.

We are not suggesting that recreational roads be reserved for this single use. We believe that proper management of roads can result in meeting many needs, including timber harvest, without impairment to any use. However, I am convinced that the public need for recreational roads and accesses is so great that construction can be justified for this reason alone and need not be dependent upon commercial benefits as well.

I also am of the opinion that "forest recreation ways" are justified in many particular places in all regions of the Nation. These should be managed for the maximum scenic and recreational values, as are national parkways, but need not necessarily be limited to this one particular use.

An authorization of \$25 million per year for this purpose for 2 fiscal years, as proposed by S. 1159, is reasonable.

In closing, Mr. Chairman, I should like to call attention to another proposal before your committee which also deals with the Federal-Aid Highway Act of 1962. This is S. 2767, by Senator Metcalf, and it would protect fish and wildlife and recreation resources in the construction of Federal-aid highways. Evidence from many parts of the country is building up a strong case for the need for greater care in planning and constructing highways. We, of course, favor improvement of highway transportation except for the unnecessary invasion of unique and important natural areas in construction. However, the losses of fish and wildlife habitat and recreational areas to highway construction are great and merits the protection proposed in S. 2767.

Thank you for the opportunity to make these observations.

Sincerely,

THOMAS L. KIMBALL, *Executive Director.*

Senator McNAMARA. The committee is seeking to get permission to reconvene at 2 o'clock today. We have not obtained that permission from the Senate yet. We will assume that we are going to obtain such permission and reconvene at 2 o'clock today. The first witness this afternoon will be Major General Prentiss. Thank you very much.

(Thereupon, at 11:50 a.m., the subcommittee recessed, to reconvene at 2 p.m., of the same day.)

AFTERNOON SESSION

Senator McNAMARA. The hearing will be in order.

We understand that Mr. Koch, president of the National Limestone Institute, wants to present a statement for the record.

Is Mr. Koch here?

Then his statement will be made a part of the record at this point.

(The statement referred to follows:)

STATEMENT OF ROBERT M. KOCH, PRESIDENT, NATIONAL LIMESTONE INSTITUTE, INC.

Mr. Chairman and members of the committee, I would like to express my appreciation for the opportunity to present the views of the members of the organization which I represent. My name is Robert M. Koch and I am the president of the National Limestone Institute, Inc., with headquarters in Washington. Although most of you are very familiar with the work of our organization—in fact, I had the pleasure of presenting a statement to your committee earlier in the year in conjunction with the hearings on new materials and new methods of construction using known materials—I would still like to take just a moment to tell you who we are.

We are a national association organized in 1945 with a membership representative of the entire limestone industry—having over 550 members, including producers of limestone aggregate sold commercially for road construction and producers of limestone aggregate who are also engaged in the actual construction of our roads and streets.

I would like to mention at this time, Mr. Chairman, that the leadership of this committee in past years, the recent initiation of hearings on new materials and new methods of construction using known materials, and the invitation to witnesses in conjunction with this bill now being considered exemplifies the keen interest of you and each member of this committee in promoting and encouraging an adequate and efficient highway system for this great Nation of ours. And I want to assure you that the National Limestone Institute has in the past and will continue in the future to devote its efforts toward the advancement of improved methods and techniques and toward the efficient utilization of materials in highway construction and in other activities in support of long-range, balanced, and soundly financed highway program adequate to meet the growing demands of traffic, to provide for the economic development of our country, and to meet the requirements of the national defense.

The limestone industry plays a large part in our expanded highway program since it extracts approximately 450 million tons of material annually, nearly 60 percent of which is used as road stone and concrete aggregate. The latest Bureau of Mines' figures indicate that our Nation's roadbuilders are able to purchase their limestone aggregate at an average f.o.b. plant price of \$1.30 per ton, a real bargain for such an essential roadbuilding material.

The National Limestone Institute wishes to go on record as supporting H.R. 12135 which, as you know, is the compromise bill passed by the House. It is a necessary bill as it will reestablish the congressional intent of increasing authorizations on our key A-B-C highway systems \$25 million annually until a minimum of \$1 billion is reached and which was interrupted by the 1960 act. Our position in supporting this section of the bill is not new, for, as you know, we were one of the original exponents of this legislation.

Each year I have presented testimony for the National Limestone Institute emphasizing the need for adequate funds to maintain the A-B-C system on a \$25 million annual increment until it reaches a minimum of \$1 billion annually. I have repeatedly pointed out that the continuation of this original proposal is something that should not be set aside when congressional committees and administration planners are considering the total highway program.

It has been pointed up many times that our A-B-C system handles the majority of our Nation's highway traffic. It has been brought to your attention that many businesses in the roadbuilding family cannot get work on the Interstate System because of the size of the contracts, and A-B-C work is their only work. It is well known by this committee that A-B-C contracts generate a larger dollar volume than does the Interstate System since the States match the Federal A-B-C appropriations dollar for dollar but only match interstate

appropriations on a 90-percent Federal 10-percent State basis. In other words, for each Federal dollar on A-B-C highways there is \$2 of work, but for each Federal dollar on the Interstate System there is only \$1.11 of work. Why then should we not adhere to the original policy of the Congress expressed in passing both the 1956 and 1958 Federal-Aid Highway Acts?

In support of this bill, I would like to point out that according to the Bureau of Public Roads approximately 12,000 miles of the Interstate System have been completed to 1972 standards. Already the increased traffic generated by these new expressways is placing heavy demands for the improvement of connecting A-B-C feeder roads. As additional mileage of interstate highways is opened to traffic, the demand for improvement of connecting routes will become more acute. It is, therefore, essential that the amounts provided in H.R. 12135 for the fiscal years 1964 and 1965 be approved if we are to maintain a proper balance between the development of the Interstate System and the A-B-C systems.

The members of this committee are well aware of the present inadequacies in our A-B-C highways. These inadequacies have concerned this committee for many years; yet, in spite of the committee's outstanding efforts, much remains to be done.

We have many thousands of miles of roads with insufficient lane widths, improper vertical and horizontal alignment or outmoded paving.

In the course of the 4-year highway cost allocation study, conducted by the Bureau of Public Roads pursuant to section 210 of the 1956 Highway Act, the State highway departments were asked to provide estimates using uniform criteria of the improvement needs and corresponding costs on the Federal-aid primary and secondary systems in the several States for the 15-year period, July 1, 1956, to June 30, 1971. The grand total of needs was set at \$71.641 billion. Under present conditions, approximately \$31 billion will be provided by Federal-aid apportionments and State matching funds leaving approximately \$40 billion worth of projects to be financed without Federal aid or left undone. With this tremendous requirement, I believe we are fully justified in recommending the A-B-C authorizations contained in H.R. 12135.

In considering the other sections of this bill and the justification for their adoption, we ask only that this committee consider the points I have mentioned and keep in mind that the majority of our Nation's materialmen have their quarry sites in rural areas, and their livelihood depends principally upon work on the secondary Federal-aid highway system.

In closing, I want to reiterate, Mr. Chairman, that our membership feels very strongly that the minimum we as a nation should be doing to improve our A-B-C systems is to have the principle of increasing the annual amount authorized for the construction of these highways adopted by the Congress.

Again, I want to thank you, Mr. Chairman, and each member of this committee for the privilege of presenting this testimony to you.

Senator McNAMARA. Now, General, if you will come forward, and we have a copy of your prepared statement, you may proceed in your own manner.

**STATEMENT OF MAJ. GEN. LOUIS W. PRENTISS, U.S. ARMY
(RETIRED), EXECUTIVE VICE PRESIDENT, AMERICAN ROAD
BUILDERS' ASSOCIATION**

General PRENTISS. Mr. Chairman and members of the committee, my name is Louis W. Prentiss, and I am the executive vice president of the American Road Builders' Association with headquarters in Washington. We are a national organization, organized in 1902, with membership representative of the entire highway industry and the highway engineering profession. Our membership includes highway officials and engineers at all levels of government; faculty members and students of colleges and universities offering instruction in highway engineering; engineers in private practice; investment and commercial bankers; highway contractors; manufacturers and

distributors of highway construction equipment; and materials producers and suppliers. Over 5,000 leaders in the highway field lend their support to ARBA.

Since 1902, ARBA has devoted its efforts toward the advancement of improved methods and techniques in highway engineering, administration, and construction, toward the efficient utilization of materials and equipment; and in other activities in support of a long-range, balanced, and soundly financed highway program adequate to meet the growing demands of traffic, to provide for the economic development of our country, and to meet the requirements of the national defense.

In furtherance of these objectives, we welcome this opportunity to present testimony in support of H.R. 12135, the Federal-Aid Highway Act of 1962, in the form in which it was passed by the House of Representatives.

We strongly support the authorization of \$950 million for the A-B-C program for fiscal year 1964 and \$975 million for fiscal year 1965. We realize that the latter figure is \$25 million more than was recommended by the administration; however, we believe that the larger amount is justifiable for the following reasons:

(1) The pressing needs for the improvement of the primary, secondary, and urban Federal-aid systems should be met at the earliest possible time, consistent with sound planning and sound financing. We believe that the highway authorization proposed in H.R. 12135 can be apportioned without disturbing the capability of the highway trust fund, and that this extra money—relatively small though it may be—will aid materially when doubled with State matching funds in assisting the States to better balance their highway construction programs;

2. Approximately 12,000 miles of the Interstate System are completed. Already the traffic desiring to use the new expressways is placing heavy demand for the improvement of connecting A-B-C roads. As additional mileage of interstate roads is open to traffic, the demand for improvement of connecting routes will become more acute. It is, therefore, essential that the amounts provided in H.R. 12135 for the fiscal year 1965 be approved if we are to maintain a proper balance between the development of the Interstate System and the A-B-C systems.

Mr. Chairman, I would like to deviate from my paper just a minute here. My concept of a balanced highway program is predicated upon this thought. We are developing an Interstate Highway System which when completed is expected to carry 20 percent of the total vehicle mileage of the United States. But it can carry this 20 percent only if the access roads and the exit roads to and from it are built in time to permit it. Therefore, we feel that a balanced program means that we are building the A-B-C system rapidly enough to insure that when this interstate system is finished in 1972 or 1973 or 1974 that this traffic that will use it will be able to get on and get off of it.

The members of this committee are well aware of the present inadequacies of our A-B-C highways. These inadequacies have concerned this committee for many years. Thanks to the foresight and efforts of your committee, Mr. Chairman, improvement of the A-B-C

system has been substantially stepped up in recent years. However, much remains to be done.

We have many thousands of miles of roads with insufficient lane widths, dangerous shoulders, improper vertical and horizontal alignment, narrow bridges, inadequate signing and marking, wornout and outmoded paving.

As part of the 4-year highway cost allocation study conducted by the Bureau of Public Roads pursuant to section 210 of the 1956 Highway Act, the State highway departments were asked to provide estimates, using uniform criteria, of the improvement needs and corresponding costs of the Federal-aid primary and secondary systems in the several States, for the 15-year period, July 1, 1956 to June 30, 1971. The grand total of needs was set at \$71.641 billion. Under present levels of expenditure, approximately \$31 billion, including the expenditures from 1956 to date, will be provided by Federal-aid apportionments and State matching funds, leaving approximately \$40 billion worth of projects to be financed without Federal aid or left undone. With this tremendous requirement, I believe we are fully justified in recommending the A-B-C authorizations contained in H.R. 12135.

Section 3 of the bill dealing with assistance for displaced families and businesses has much merit but, at the same time, contains a very basic fault in our opinion. The fault lies in saddling the highway trust fund with the moving expenses of displaced persons neither contemplated nor provided for in the 1960 cost estimate.

I would like to add, also, Mr. Chairman, that when these Federal taxes on highway users were increased it was done with what we feel was more or less of a commitment to the highway users that the money would be utilized for the purposes then considered in the highway program.

We are opposed, in principle, to any proposal which goes beyond the purposes for which the highway trust fund was set up and from which new taxes were levied and which results in added expenditures from the trust fund, unless provision is, at the same time, made for a commensurate increase in highway trust fund revenues. While it may be that the cost of the proposed relocation program to the Federal Government is sufficiently small that expenses can be met from the trust fund without undue damage to the highway program, we are, nevertheless, firmly opposed to the establishment of any precedent which might open the door to future proposals to add unanticipated costs to the burden already carried by the highway trust fund.

Section 6 of the bill would permit the States greater flexibility in utilizing Federal-aid secondary funds for projects within urban areas. Significantly, the reaction to this proposal from those of our members who are county engineers and officials has been quite favorable. County highway administrators, both those in rural areas and those in urban counties, recognize the proposed provision of law as one which would be helpful in development of the total highway system.

Section 7 of the bill emphasizes the importance of the cooperative action between Federal and State Governments in transportation planning and places major responsibility therefor on the Secretary of Commerce. We support section 7 as now worded.

The State highway departments and the Bureau of Public Roads have good reason to take pride in the great contributions they have made in recent years in the comprehensive transportation planning field.

Section 9 of the bill makes increased Federal-aid funds available for State highway department activities in highway planning and research.

The matter of expanding the research and development activities of the highway departments, the highway industry and the Bureau of Public Roads is one which deserves congressional encouragement.

We do not recommend that extraneous amendments be appended to H.R. 12135, but I would like to mention briefly several legislative matters which were the subject of resolutions adopted by the American Road Builders' Association at its 60th annual convention this year in San Francisco.

In our opinion, these matters should be considered by the appropriate committees of Congress early in 1963.

We recommend:

1. Consideration by the Public Works Committee of legislative steps to halt the loss of money from the highway trust fund resulting from State and local taxation of the gross receipts of contractors, construction contracts, and sales and use taxes applied to highway materials and highway equipment. More than \$35 million per year is diverted from the highway trust fund to purposes other than the Federal-aid highway program by this practice, and the practice is continuing to grow.

2. Legislative action to restore the administrative regulation prohibiting the use of prison-made materials on Federal-aid highway projects. This regulation, which has been in effect for 25 years, was upset last fall by a ruling of the Comptroller General, and legislative relief is needed.

3. Consideration by the Public Works Committee of a feasible means of reimbursing the States for toll roads not built with interstate funds but incorporated into the Interstate System, such reimbursement to come from the general fund of the Treasury.

4. Legislative action to direct the Bureau of Public Roads to study the advisability of permitting the construction of a reasonable number of restaurants and service stations on the Interstate System right-of-way. As longer stretches of Interstate System come into use, there are increasing complaints from motorists that they are inconvenienced by the necessity of leaving the interstate routes to find food and fuel.

We are grateful indeed for the opportunity to appear before this committee and for the consideration which this committee has given in the past to the views of the American Road Builders' Association.

Senator McNAMARA. We appreciate your cooperation and your appearance here today.

In reference to section 9 of the bill that you just made reference to, dealing with the increase in Federal-aid funds of State highway department activities in highway planning and research, this does appear to be an additional drain on the fund. But, in fact, were not Federal funds already available for planning under the existing law?

General PRENTISS. Already available at 1½ percent of it; yes, sir.

Senator McNAMARA. To your knowledge has it been used for such purposes?

General PRENTISS. It has been used but not in total. In other words, some States have used it and some States have not.

Senator McNAMARA. So this spelling it out by adding this section 9 is more or less an encouragement to other States to use the method that has already been in effect in some States?

General PRENTISS. Yes, sir. And it certainly points toward development of more efficient moneysaving ways of building better highways, and we are strongly in support of the concept.

Senator McNAMARA. I believe you heard my statement of my position in relation to this relocation business. I feel very strongly about it and I am glad to have your agreement.

General PRENTISS. Thank you, sir.

Senator McNAMARA. Senator Moss.

Senator Moss. I have no question, Mr. Chairman. I came late so that I did not get to hear the witness. I regret it and I am just skimming through his statement now.

Senator McNAMARA. Thank you very much, General.

General PRENTISS. Thank you, sir.

Senator McNAMARA. Our next witness is Mr. John Mackie, first vice president of the American Association of State Highway Officials. Mr. Mackie, it seems we know you by some other title.

STATEMENT OF JOHN MACKIE, FIRST VICE PRESIDENT, AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS

Mr. MACKIE. Yes, sir; it is certainly an honor to appear before your committee, Senator.

Before I start I would like to mention that we have two other highway administrators in the room, Frank Lyon, administrator of the highway department from Oklahoma and Mr. Dwight Bray, a member of the AASHO legislative committee and former past vice president of AASHO, State highway commissioner from Kentucky.

Senator McNAMARA. Is it your desire to have them sit with you at the table?

Mr. MACKIE. No. I would just like to have them introduced.

Senator McNAMARA. You may proceed in your own way, sir.

Mr. MACKIE. In view of the circumstances, Senator, I think with your permission I would like to forgo the formal reading of the entire statement I have prepared. It has been distributed to you and members of the committee. I would like to have it introduced into the record in total and with your permission just read one or two pertinent facts that indicates the collective thinking of the members of the State highway departments of AASHO.

Senator McNAMARA. Very well.

Without objection, then the complete statement of Mr. Mackie will be included in the record at this point.

(The statement referred to follows:)

STATEMENT OF J. C. MACKIE, FIRST VICE PRESIDENT, AMERICAN ASSOCIATION
OF STATE HIGHWAY OFFICIALS

Mr. Chairman and members of the committee, I am J. C. Mackie, the elected State highway commissioner of Michigan, and the elected first vice president of the American Association of State Highway Officials.

It is in the latter capacity that I am appearing before you today, and in so doing and in accordance with our policy, I am representing the views of two-thirds or more of the chief administrative officers of the several State highway departments on each of the several matters that I will discuss.

This testimony on H.R. 12135, is based on an official AASHO policy statement developed and adopted by the heads of the State highway departments at our last annual meeting, and upon recent polls on subjects and proposed legislation that have developed subsequent to that annual meeting.

We follow this procedure so that we may give you the collective thinking of the men who administer the State highway departments and direct the Federal-aid highway programs in the States, thereby saving the valuable time of your committee by eliminating the necessity of your having to hear many State witnesses.

H.R. 12135, as passed by the House, is generally acceptable to the overwhelming majority of the State highway departments.

With regard to specific sections of the bill, I have the following comments:

Section 2—"Authorizations." A-B-C authorizations, increased \$25 million annually, are in accordance with AASHO wishes and our official policy statement, a copy of which is attached.

As for Federal domain roads of the various categories, the authorizations are satisfactory. The increase in forest development roads and trails is satisfactory, inasmuch as we note from the House Public Works Committee report that these funds are not to come from the highway trust fund. This is in conformity with our policy statement.

Section 3—As for this section on "Assistance for Displaced Families and Businesses," 47 of the State highway departments report that the language is acceptable or that they believe they can live with it; however, on the basis of a recent poll, 8 would prefer to see the section stricken altogether. It is our estimate that the total cost of moving people and businesses will come to some \$200 million.

To date, the orderly moving of people and businesses displaced by the highway program has not been a problem of any magnitude. Some few States already pay moving costs; however, most do not—but the hardships and human problems anticipated by some are not materializing.

Practically every State highway department is vigorously opposed to any proposal to replace the so-called Baldwin amendment now in H.R. 12135 with the original language of S. 3136, that would make the Secretary of Commerce, as a condition precedent to his approving a Federal-aid highway project, require the State highway department, through an agency or agencies acceptable to the Secretary, to assure that there is a feasible method for the temporary relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highways, and that there are or will be provided in areas not generally less desirable in regard to the availability of public utilities and public and commercial facilities at rents or prices within the financial means of the families displaced by the acquisition or clearance of such rights-of-way, decent, safe, and sanitary dwellings adequate in number to accommodate such displaced families and reasonably accessible to their places of employment.

It is considered opinion of the majority of the State highway administrators, charged with the responsibility of moving the big Federal-aid highway program, that such a requirement and certification could afford an effective means of legally challenging the correctness of such a certification for the express purpose of delaying vitally needed highway work, especially in urban areas.

We realize most major highway projects are controversial in the planning stages, but not after the work is completed, and generally the opposition is a vocal minority, and such opposition must be considered in relation to the welfare and interests of the general public.

We are ready to accept our responsibility for making plans and decisions and taking action to do the highway job, but it should not be made any more compli-

cated or difficult. We believe that the advisory assistance requirement, as now contained in section 3, and the balance of the section, as written, is acceptable as a compromise.

We are not oblivious to the welfare of our citizens in this matter and we assure you it is the practice of the States not to evict people indiscriminately. Highway commissioners are close to the people they serve, and are responsive to their wishes.

We would like to call to your attention that section 3 applies to all Federal-aid highway projects: secondary, primary, interstate, urban and rural, and of course the effect of such legislation for Federal-aid projects ultimately affects contracts awarded by State highway departments that are financed wholly by State funds. So, what is done by Congress regarding Federal funds involves also projects financed entirely by the State highway funds.

Even though the interstate highway program is financed with 90-percent Federal funds, nearly half of the funds going into State highway construction come from State moneys, so the States still are full partners in roadbuilding. In addition, maintenance is financed totally by the States and we agree that it should be.

Sections 4 and 5—"Public Lands Development Roads and Trails" and "Availability of Funds—Other Highways" refer to highways not under the jurisdiction of the State highway departments and it is our understanding that they are not to be financed from the highway trust funds, so therefore we have no comment.

Section 6—"Federal-Aid Secondary Highway System—Urban Areas" is very satisfactory to us. This section is in conformity with our official policy statement. The provision will aid in financing needed secondary projects partially or totally included in urban areas.

Currently, urban Federal-aid moneys must be used to supply Federal funds for secondary Federal-aid projects in urban areas, consequently, due to the heavy demand in many States on urban funds, the improvement of important sections of secondary Federal-aid routes inside urban boundaries is often delayed.

Section 7—"Transportation Planning in Certain Urban Areas." The American Association of State Highway Officials has recognized for some time the impact on highway needs and planning brought about by the continuing urbanization of America.

It is a fact that we are an automobile oriented people by choice, and can afford the convenience and luxury of private transportation.

It has been demonstrated time and time again that people want cars and adequate and safe highways and are willing to pay what it costs. It also is our feeling that in a given urban area when modes of transportation other than motor vehicles are indicated, they should not be considered in competition, but should be rationally planned to complement each other. We firmly believe the individual should be allowed his choice of how he wishes to travel.

These facts are the basis of an official policy statement on the subject of highways in a national transportation policy, that was also developed and adopted by the chief administrative officers of the State highway departments at our last meeting. A copy of that policy is also attached to this statement.

The State highway departments have been involved in developing and utilizing rational and scientific techniques for planning transportation for 20 years, instead of relying on personal opinions.

Our association helped to sponsor the important Sagamore Conference on Highways and Urban Development in 1958.

It was here that recommended guidelines were developed for establishing and carrying on a cooperative areawide urban transportation planning process, utilizing the contributions and talents of the administrators and technicians, planners and engineers of the various levels of government, agencies and interests having responsibilities in the matter.

This was motivated by our desire to see that our proposed urban highway projects fit properly into the transportation needs of the area, that the project is not in conflict with other important public and private programs, and that consideration has been given to all other matters essential to proper urban development.

In line with this position, the association, in 1960, created a new and continuing Committee on Urban Transportation Planning, with a member from each of our member departments. This committee has been very active.

In 1961, and before the current proposed legislation on the subject was drafted, requiring the planning process, our association, in conjunction with

the American Municipal Association and the National Association of County Officials, launched a program to get a comprehensive, cooperative, areawide, continuing urban transportation planning process installed and operating in all urban areas of 50,000 population and over.

In this ambitious and needed program, the cooperating associations have requested the assistance of the Bureau of Public Roads, the Housing and Home Finance Agency, and the Automotive Safety Foundation.

The program is underway. One regional conference, to explain the program and its activation, has already been held, with each of the five States involved selecting a demonstration urban area to start action. The other conferences, to be held shortly, cover the rest of the country.

By the chain reaction and transplanting process we, in the State highway departments, expect to develop the necessary specialists for this operation from the reservoir of men we have with good academic and highway planning qualifications. We realize the success of such a program as we have already launched, and as would be required by July 1, 1965, under H.R. 12135, will rest largely with the efforts and interest of the State highway departments. We are in accord with section 7 of this bill.

Section 8—"Rural Delivery and Star Route Mileage": We welcome this legislation in order that future Federal-aid apportionments to the States will not be delayed by the certification of post road mileage, which is one of the factors used in the empirical apportioning formulas.

Section 9—"Highway Planning and Research Funds"—The language of this section is acceptable. More and more emphasis is being given highway research by the State highway officials. Undoubtedly such research will result in better, cheaper, and safer highways in the future.

In the past, some highway officials were probably reluctant to spend much money for research, because there was little public support for such use of public funds, and because there is seldom an immediate dollar return.

Now that there is more public support for research in this technological age, the attitudes of highway administrators have changed accordingly.

Currently, the individual State highway departments have some 260 research projects underway in colleges and universities. These deal with a variety of subjects, from the social and economic side to physical research involving new materials, tests, construction methods, etc.

The AASHO road test project demonstrated the success of joint effort and financing in research problems beyond the capacity of a single State and of mutual interest to all States.

Based on this experience, the State highway departments, acting through the association, created a continuing AASHO cooperative research program, to be administered through the Highway Research Board of the National Academy of Sciences.

This same agency administered and conducted the road test project, with AASHO developing the research plan and objectives, arranging for the financing, and serving as the project sponsor.

In this new joint effort research program, each of the participating State highway departments contribute an amount equal to 5 percent of their 1½ percent planning and research funds to the financing each year, which approximates \$2½ million annually.

This pooled fund is used to finance research projects initiated, screened, and finally approved by the favorable vote of two-thirds or more of the participating State highway departments.

A project may be suggested by the head of any State highway department or any one of our AASHO committees.

Before a project is activated, it must be thoroughly screened to determine if it is research that has a high priority, is of mutual interest to most of the States, can best be handled through the cooperative program, and does not duplicate other work already completed or underway.

This pooled fund AASHO program is to supplement and not replace nor discourage the large amount of highway research being conducted by the individual States.

Six high-priority research problem areas have already been activated as the 1963 fiscal year program. They deal mainly with physical research and increasing traffic capacity and safety.

Very shortly the 1964 program will be developed and submitted to the States for action. It is probable that the new items will deal mainly with research relative to the complex and increasing urban transportation problems.

Most all of the State highway administrators would oppose any proposal to restore the original language contained in S. 3136, making an additional one-half of 1 percent of the A-B-C funds mandatory for planning and research, as well as requiring full matching.

It is the opinion of the vast majority of our people that the present 1½ percent funds are being efficiently used for the purposes intended, and for the present, they are adequate except in a few States. These States, under the optional language of H.R. 12135, could use the additional one-half of 1 percent funds for planning and research, if they so elect.

To make the additional one-half of 1 percent funds mandatory for planning and research, and not convertible into construction, would divert approximately \$5 million of Federal aid and \$5 million of State funds from badly needed A-B-C road construction each year. Section 9, as now written, is acceptable.

I thank you for the privilege of appearing here today, and we appreciate the interest and action that this committee has consistently taken over the years to provide this Nation with the adequate and safe highways needed to maintain an expanding economy.

POLICY STATEMENT OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS
AS DEVELOPED AND ADOPTED BY THE CHIEF ADMINISTRATIVE OFFICERS OF THE
STATE HIGHWAY DEPARTMENTS MEETING IN DENVER, COLO., OCTOBER 8, 1961

1. That the State highway departments, working together and with the Federal Bureau of Public Roads, have been responsible for the major roadbuilding efforts of this Nation, and this proven "partnership," that has given this country world leadership status in highway know-how, should continue to be utilized in the same manner as in the past in constructing present and future Federal-aid highway programs.

2. That the association should vigorously oppose any proposals that would require a certain type of organization and operation for a State highway department as a prerequisite for the State receiving Federal-aid highway funds inasmuch as all State highway departments are departments of sovereign State governments. The Federal-Aid Highway Act of 1916 required that the State highway organization be adequate for the purpose and proper safeguards now exist in Federal law to protect the Federal interests.

3. That upon the completion of a Federal-aid project, the road which belongs to the State and is maintained entirely at State expense should be policed, operated, and maintained completely by the State and without any Federal requirements other than those set out in sections 111 and 116, title 23, United States Code, Highways. The States have effective means of achieving the desired degree of uniformity in signing, marking, speed regulations, vehicle weight, and size control, law enforcement, etc., to adequately serve the public interest and to make any nationalization in this area unnecessary.

4. That no Federal agencies or other groups, other than the Bureau of Public Roads, should have the approval power over Federal-aid highway projects initiated by the State highway departments. However, the State highway departments should develop their projects in close cooperation with other affected groups and agencies. To extend the area of project approval could invite controversy and delay the initiation of vitally needed highway improvements.

5. That the development of controlling highway design standards and highway signing and traffic control methods for the Federal-aid highway systems is engineering in nature and should never be established by legislation, but handled jointly by the State highway departments and the Bureau of Public Roads.

6. That it is of the utmost importance that the highway construction programs of this Nation be kept in balance for the various Federal-aid systems involved.

7. That the present percentages for matching Interstate and A-B-C system programs be continued and that strong opposition should be exerted against any proposed decreases in the Federal percentage of participation, in light of the many demands made on State highway funds to furnish and maintain highways.

8. That the A-B-C Federal-aid road programs be continued with a \$25 million annual incremental increase each year until it reaches \$1 billion authorization per year. After that time, the matter should be further evaluated.

9. That the association supports the current division of total authorized A-B-C funds of 45 percent to the Federal-aid primary systems, 30 percent to the secondary Federal-aid system, and 25 percent to extensions of Federal-aid systems in urban areas, inasmuch as the 20 percent transfer provision of 104(c) of title 23.

United States Code, "Highways," gives sufficient flexibility to meet the needs of the individual States.

10. It is recommended that funds apportioned for use on the Federal-aid secondary system be made available for use on projects located on Federal-aid secondary routes in urban areas.

11. That the association endorses the secondary road plan as set forth under section 117 in title 23, United States Code, "Highways."

12. That adequate Federal financing for the current enlarged Federal-aid highway program be continued so that the expressed intent of the Congress, as outlined in section 101(b) of title 23, United States Code, "Highways," that was the basis for the State highway departments and the highway industry organizing and enlarging to handle the program, will have meaning. All of the justifications that existed for the activation of the program in 1956 still exist and are even more apparent now than at that time, and any interruptions or delays in the completion of the interstate program must be avoided.

13. That the association vigorously oppose the use of any Federal highway trust fund moneys for any purpose other than now authorized by law.

14. The contract authority procedure created by the Federal-Aid Highway Act of 1922 which gives the State the right to initiate projects as soon as official apportionment is made should be restored and the reimbursement planning procedure which was installed as a temporary expediency should be eliminated.

15. That the apportionments in the full amount of the congressional authorizations for all Federal domain roads should be made and utilized, and such funds should not come from the Federal highway trust fund.

16. That the association endorses the Interstate System completion schedule as outlined in the Federal-Aid Highway Act of 1961, and reassures the Congress of the State highway departments' ability to efficiently construct the program within that time schedule, and warns of the adverse economic impact of interruptions, cutbacks, or stretchouts in the program.

17. That the association endorses the periodic interstate estimates, as provided in section 104(b) (5) of title 23, United States Code, "Highways," as the only equitable and proper basis for the apportioning of Federal funds to the several States to achieve simultaneous construction and completion of the Interstate System in all States to adequate standards.

18. That there should be no sacrifice in the standards currently adopted for and being applied to the Interstate System. The matter of design standard development should never become static but should be constantly reviewed through the State highway department-Bureau of Public Roads partnership processes.

19. That adding mileage to the Interstate Highway System at this time would delay the completion of interstate routes and any additions should be considered at a later time when a greater percentage of the currently authorized Interstate System is completed and at such time that proposed additions can be more accurately evaluated. At that time Congress should reappraise the Nation's highway needs to determine if it is in the national interest to extend the program.

20. That the urban portions of the Interstate System are an integral and very important part of the system, which should be planned and developed by the State highway departments in close cooperation with local government units and interested Federal agencies. The importance of the urban sections of the Interstate System cannot be overemphasized, and an eventual enormous increase in cost could be created by a failure to recognize the problem at this time.

21. That the development and adoption of a comprehensive urban transportation plan should not be a requirement for the approval of a Federal-aid highway project in an urban area, but State highway departments should lend all possible assistance in the development of such plans in order that effective coordination of highway and urban development may be attained.

22. That there should be no change in the law prohibiting the establishment of commercial services on the right of way of the Interstate Highway System as set forth in section 111, title 23, United States Code, "Highways."

23. That there should be no extension of section 113 of title 23, United States Code, "Highways," whereby the Federal determination of wage rates would be extended to projects on road systems other than the interstate, nor should there be legislation to provide additional Federal control or jurisdiction over wages paid on projects located on the Interstate System.

24. That the State highway departments recommend that Federal legislation be provided whereby Federal-aid highway funds may be used for the construction of connections to existing or future toll roads, where such toll roads and the required connections are on any one of the Federal-aid highway systems.

25. That appropriate action, by legislation if necessary, be taken to facilitate the acquisition of adequate rights-of-way for highway purposes over Federal lands. Present difficulties, particularly with regard to military facilities and land subject to withdrawal for power purposes, seriously delay and materially increase the cost of needed projects.

26. That recent actions on requests by the State highway departments for reasonable and economically desirable vertical and horizontal navigation clearances at highway crossings of navigable streams indicate a continuance of the previously recognized necessity for legislation, making it mandatory that, except in special cases where the requirements of national defense govern, such clearances be determined on the basis of the minimal cost to all forms of transportation. The American Association of State Highway Officials therefore reiterates its support of and reemphasizes the need for early introduction and passage of Federal legislation on this subject similar to that included in the 1960 legislative program of the Department of Commerce.

27. That the State highway department have approval of any and all proposals and plans designed to set aside elements of any highway, under its jurisdiction, for the purpose of installing rail transit or for the exclusive use of a special type of motor transport and such special use should be considered only after comprehensive studies show it to be the most economical and efficient arrangement possible and that it is in the public interest and will not create a safety hazard.

28. That legislation should not require alternate bids on pavement types and/or minor drainage structure types but the determination of type should properly be determined by competent professional judgment based on the controlling engineering and economic considerations.

AASHO POLICY STATEMENT ON THE SUBJECT OF HIGHWAYS IN A NATIONAL TRANSPORTATION POLICY AS DEVELOPED AND ADOPTED BY THE CHIEF ADMINISTRATIVE OFFICERS OF THE STATE HIGHWAY DEPARTMENTS ASSEMBLED IN DENVER, COLO., OCTOBER 8, 1961.

PREFACE

Highways and motor vehicles have furnished the people of the United States the freedom and flexibility of personal transportation that has won unprecedented acceptance and use of the motor vehicle and in so doing has strengthened the economy of this country and has given it transportation advantages no other country enjoys.

The objective of formulating a national transportation policy is a worthy one if interpreted in the right way. Restriction upon the normal healthy growth of all forms of transportation should be removed. Competition within each mode of transportation should be encouraged; and this is true also of competition between modes of transportation, for the interest of the consumer must be protected. Government policy in regulation and ratemaking should be reexamined and revised to meet the needs of the present-day and future American economy.

A national transportation policy should not be restrictive or monolithic in character. It should be adaptable to the needs of different situations and subject to a continual revision in response to changing demands. Above all it should be a program that meets the desires of the American people. It should promote freedom of action, freedom and flexibility of movement of people and goods, allowing the individual to choose his mode of transportation.

The contributions made by the highway program, the national defense, and the expanding economy are most significant. Highways afford the flexibility in transportation that is essential for the national and civil defense and for protecting population in case of natural disasters. This was recently demonstrated when highways were utilized to move large numbers of people out of the path of Hurricane Carla. The dynamic urbanization that is in progress, the decentralization of industry, and the Nation's ability to promptly move armed forces

makes it essential that the Federal Government continuously review the matter and should be reflected in the amount of money made available for highways.

Stature of the highway transportation industry

Nearly 74 million motor vehicles were registered in the calendar year 1960, of which 62 million were automobiles and 12 million were trucks and buses. The 71 million vehicles registered in 1959 traveled 700 billion vehicle-miles. The travel in 1960 is estimated at about 720 billion. If we take the familiar figure of 10 cents per mile for the average cost of operating an automobile and remember that trucks and buses cost more than that to operate, it becomes evident that the money spent in motor-vehicle transportation now amounts to more than \$80 billion a year. This is a sizable share of the American economy, and it is indicative of the intimate involvement of the motor vehicle in American life. Motor vehicles in 1960 paid \$8.1 billion in taxes, fees, and tolls for the building, maintenance, and operation of highways. Of this, \$2.8 billion was paid in Federal gasoline taxes and other trust-fund revenues. A total of \$5.1 billion was paid to State governments and the remainder to local governments. In addition, motor vehicles were taxed by both Federal and State Governments for general-fund or specific nonhighway purposes.

Highway transportation differs from other modes in its all-pervasive nature. Although the greater part of motor vehicle travel occurs on primary roads and streets, in its totality it is distributed over 3 million miles of rural highways and more than 400,000 miles of urban highways and streets. Because of the widespread character motor vehicle ownership and use, embracing the vast majority of American families, national transportation policies should be framed so as to protect the interests of motor vehicle owners and users. In the United States the individual considers the convenience and the privilege of personal transportation without any special deterrents being invoked to restrict its use as an inviolate and precious right and he will resist any effort to make a change.

Objectives of highway planning and policy

Throughout the period of growth and maturity of highway transportation, it has been the objective of highway engineers and administrators to build, maintain, and operate highways in accordance with the indicated desires of the American people. Through the mechanism of the Federal-State relationship, a systematic program of highway planning was established during the 1930's and remains continuously in effect in all States and the National Government. The golden rule in all of the planning work is to find out what people want and to make plans to satisfy those wants. This means not only counting the traffic on the highways and classifying it as to type and weight composition, but also making origin-destination studies to determine where traffic originates and what destination it seeks. It is not by chance that the lines depicting the actual or potential traffic between zones of origin and zones of destination are called desire lines. They do, indeed, interpret the desires of the people; and in that sense the origin-destination study is a ballot of the people's demands. These studies have proved a very powerful tool of planning research, particularly in urban areas. By correlating the results of home-interview origin-destination studies with surveys of land use, the relationships between land uses and traffic demands are established. In planning for the future, the probable trends of land use are forecast and traffic assignments are made in accordance with these relationships.

In some transportation planning, particularly in urban area, there seems to be a tendency to give the people, not what they want, but what the planners decide they should have. The standard raised is that of "efficiency" in transportation. A true measure of efficiency, however, means taking into account the quality of the service provided. The great economic growth of this country did not come through a policy of frugality. Indeed it is just the opposite. The demand of the American public for something beyond the efficient minimum is a characteristic difference between our country and others. Transportation is a product to be bought and used as is any other product, and the American public will select its transportation on the basis of what it wants and can afford, not what may be regarded as the most efficient.

Rural and intercity transportation

Of the 700 billion vehicle-miles traveled by motor vehicles in 1959, 376 billion were traveled on rural highways. Automobiles accounted for 295 billion vehicle-miles, buses for a little more than 2 billion, and trucks and combinations for 79

billion. The rural travel was divided between 280 billion on main rural roads and 96 billion on local roads. Competition with other modes of transportation is virtually limited to intercity traffic on main highways. In the matter of passenger transportation, the private automobile is dominant, accounting for about 90 percent of all intercity passenger-miles. Common carrier passenger transportation is shared among the railroads, buses, and airlines. Interstate Commerce Commission estimates for 1959 indicate that 32 billion passenger-miles were traveled by air, 22 billion by rail, and 20 billion by motor bus in that year.

Of the 12 million trucks registered in the United States the great bulk are small single-unit trucks and other trucks and combinations engaged in local service, and thus not offering any competition to other modes of transportation. There are, however, several hundred thousand vehicles, mostly tractor-semitrailer and truck-trailer combinations engaged in over-the-road freight transportation. Here again, the domain of competition does not extend over all operations, since each mode has its own sphere of advantageous operating conditions. Trucks enjoy the greatest advantage in short haul and in the transport of highly rated commodities. That there is a very active sphere of competition between the trucks and the railroads is evidenced by recent changes in the relative volumes of intercity freight ton-miles accounted for by the two modes of transportation. Thus, in 1950, trucks carried 173 billion ton-miles, or 16.3 percent of the total of 1,063 billion ton-miles carried in that year. Railways carried 597 billion ton-miles, or 55.2 percent of the total. The Interstate Commerce Commission estimate for 1959 indicates that the railroads carried 46 percent of the intercity freight ton-miles of 1,313 billion, whereas 21 percent was carried on the highways.

A significant development in the last 20 years has been the growth of private or do-it-yourself transportation as distinguished from for-hire carrier transportation. Estimates indicate that private transportation has absorbed about one-third of all intercity ton-miles of freight. Both railway and highway common carriers have objected because of the fact that this mode of freight transportation is exempted from regulation, since a manufacturer or other business enterprise is free to transport its own goods in its own vehicles. There is no question that some abuses of this privilege occur and that the exemption of farm products and other commodities from Federal regulation occasions other irregularities. It must be recognized, however, that the objective of regulation is to foster the growth of quick, convenient, and flexible transportation, primarily in the interest of the consuming public.

Urban transportation

The field of urban transportation presents some difficult problems in the formulation of public policy. The decline in importance of public transit and the financial difficulties of numerous transit companies, combined with the mounting congestion of motor-vehicle traffic in many large cities, poses the question of what shall be the relative roles of public transit and the private automobile in future urban planning. There has been a tendency among some who have approached this subject to go all out for the provision of rail transit facilities and to advocate restrictive or punitive measures against the private automobile. It would seem much more wise to adhere to the ideal of giving the people what they want. Application of this ideal would result in a reasonable revival and redevelopment of rapid transit where it is truly in demand, together with the orderly development of urban freeway and arterial systems to channel traffic into and around the central business district according to the indicated desires of motor-vehicle users.

The availability of flexible personal transportation has changed the place of public transportation in urban life and affected its income base to a degree that often seems to be overlooked. Public transportation in urban areas today has become largely a peak-hour, home-to-work movement. Today to a far lesser degree does the family go by streetcar on Sunday to a beach or other resort. The family seldom takes a streetcar to the downtown theater. The housewife uses transit only occasionally for shopping. Even the length of the week has changed for the transit company for there is now little home-to-work travel on Saturday. The continuing urbanization and its influence creates the need for flexibility of transportation that can only be served by the motor vehicle.

The base period business on which transit formerly could depend has largely gone, not for economic reasons but because of universal availability of a newer and better form of travel. And transit to survive must do so on its peak-hour business, with all the attendant difficulties of traffic congestion, the 40-hour week

for labor, and other factors. Remedies often proposed such as reduced taxes and less stringent regulation would seem to be only palliatives, not real solutions to the basic problem resulting from the changed and changing pattern of American life.

The enthusiasm for the restoration of rapid transit to its former eminence has given rise to the assertion, in national advertising and elsewhere, that it takes 20 lanes of freeways to move as many people in an hour as can be moved on one rapid-transit track. This assertion is based on the fact that a maximum of 40,000 persons can be moved in an hour on one track. The 20-lane comparison is based on 2,000 vehicles per lane per hour, with only one occupant each. Note that the transit line is assumed to realize its utmost capacity, an occurrence of the greatest rarity. On the other hand, the highway vehicles are assumed to be all automobiles with only the driver occupying each one. If we fill the automobiles, not to capacity but with five persons each, we need only four lanes to accommodate 40,000 persons per hour. Finally, suppose we were to transport the 40,000 people in buses. Then, at 55 per bus, some 700 buses would be required, well under the capacity of a single freeway lane. As evidence of realism in this figure, 20,000 to 25,000 persons per hour are regularly moved in buses in a single lane through the Lincoln Tunnel with ample room for many private cars as well.

The above example illustrates the fact that bold assertion should not be substituted for careful examination of the facts in planning for the future of transportation in our great cities. The results of home interview of origin-destination studies deserve particular scrutiny. For example, in the analysis of a large number of these studies in cities ranging from less than 50,000 to more than 1 million, it was found that the percentage of total internal trips that had either origin or destination in the central business district varied from 21.6 in cities of less than 50,000 to 5.6 in cities of more than 1 million.

Rapid transit, which is geared to serve traffic in and out of the central business district, cannot cope with the need for movement in all directions throughout a metropolitan area. In New Orleans studies show that 92,000 vehicles enter the central business district daily between 8 a.m. and 6 p.m., of which 72,000 or 78 percent only pass through downtown going to some other area in the city. Obviously this condition calls for inner and outer belt freeways and not primarily for rail transit.

It is to be expected that the analysis of origin-destination studies and other planning data will result in a realistic accommodation between the provision of adequate motor-vehicle transportation and a reasonable development of rail transit facilities. In this connection the potentialities of buses as a means of mass transit should be thoroughly explored. The urban planning of the future should be bold and farseeing, but it should be based on fact, not on fancy.

Any effort to stifle a form of transportation in order to preserve the central business district of a major urban area as the major retailing and service dispensing area of the region should be carefully weighed as to its ultimate effect on the overall economy and as to whether or not it is actually in the public interest. It may be that the modern function of the central business district is to undergo some change with retailing and services being adapted to a form of transportation desired by the public.

Success of Federal-State relationship

The continuing program of Federal-aid for highways has been a part of national transportation policy since 1916. Under this program the strength and technical proficiency of the individual State highway departments have been fostered, and at the same time the national interest in a connected system of interstate, intercity, and intercounty highways has been promoted. By the passage of the Federal-Aid Highway Act of 1956, the Congress recognized the urgency of completing a modernized system of interstate highways, including urban connections, that would serve a substantial portion of the traffic to and from, and through and around principal cities.

The States, in concert with the Bureau of Public Roads and other interested agencies, have moved to meet the challenge of the urban problem. The key to the situation is the integration of highway planning with other aspects of metropolitan area planning. The Federal Housing Act of 1961 has made possible closer cooperation between housing and highway agencies in urban transportation planning; and planning funds authorized by the act may be used in combination with Federal highway planning (1½ percent) funds to conduct urban transportation studies. The job, of course, must be done in each city and each city will

present different problems. The numerous great metropolitan area studies, the Chicago area transportation study, the Los Angeles regional transportation study, the Penn-Jersey study in the Philadelphia-Camden area, the Atlanta study, the Baltimore-Washington study and the studies of the tristate area of Connecticut, New York, and New Jersey are all evidence of enlightened Federal-State-community planning and integration of the transportation plan with a regional plan of development.

On the national scale, one of the early efforts to improve planning techniques and develop State-local cooperation was made by the National Committee on Urban Transportation. This committee, financed primarily by the Bureau of Public Roads and the Automotive Safety Foundation, did its job well, and having done it, closed its doors last July.

The AMA-AASHO Joint Committee on Highways is and will continue to be an effective force in bringing about closer State-local relations. This committee has sponsored several State and regional meetings at which State and local officials were brought together to consider the cooperative approach to urban transportation planning, and it joined with the Urban Research Committee of the Highway Research Board in sponsoring the Sagamore conference.

The Sagamore conference itself was a milestone along the road to better mutual understanding between State and local groups. Here a group of highway officials, mayors, city managers, city planners, businessmen, economists, and other specialists hammered out a statement of individual and mutual responsibilities of State and local officials that, if conscientiously met, must surely produce a sound, mutually acceptable plan for transportation best suited to future community and highway user needs.

These efforts on a broad scale are but one facet of the developing cooperative approach. They spell out principles and suggest specific means and methods, but it remains for the States themselves, working with local communities, to bring about the actual cooperation that is required not only in planning but in execution of the plan.

POLICY POSITION

1. There is no evidence that other forms of transportation would significantly reduce the need for more adequate and safe highways, inasmuch as our highway facilities are still behind our actual needs, so therefore any national transportation policy should not reduce or limit Federal aid or the Federal interest in the highway program in the foreseeable future.

2. The State highway departments, working together with the Federal Bureau of Public Roads for 45 years, have been responsible for the major roadbuilding efforts of this Nation and for the high degree of technological development that has occurred. This proven partnership should continue to be utilized in the same manner as in the past in constructing future Federal-aid highway programs.

3. Federal aid funds for highways should continue to be apportioned to the State governments and not directly to any local levels of governments.

4. The coordination of planning and initiation of Federal-aid highway projects should continue to be the responsibility of the State highway authority.

5. The major responsibility of studying highway needs and planning the Nation's major highway transportation facilities must remain the responsibility of the several States.

6. The official State highway authority in the State should continue to be the Federal Government's contact with the State on highway matters.

7. The State governments should continue to have jurisdiction over the State highways within the scope of existing Federal and State laws regardless of the source of funds used for construction.

8. The program item, location, plans, specifications, estimates, and construction, as well as the quality of maintenance of projects constructed as Federal-aid projects, should continue to be approved by the Bureau of Public Roads to protect the Federal interest in the project.

9. No Federal agency or group, other than the Bureau of Public Roads, should have approval power over Federal-aid projects carried on by the State highway departments.

10. The development of highway design standards, highway signing, and traffic control methods, and bridge clearances, are engineering and/or economic in nature and should not be established by Federal legislation but should be evolved jointly by the State highway departments and the Bureau of Public Roads.

11. It is essential that the highway construction programs of this Nation be kept in balance for the various Federal-aid systems involved and for the urban and rural sections of those systems. However, with changing economic and environmental influence, there should be a constant review as to what constitutes a balanced program.

12. The present basic percentages for matching interstate and A-B-C Federal aid highway programs should be continued in light of the many demands made of State highway funds to furnish and maintain highways.

13. Federal aid to the States on the A-B-C systems should continue because of the national interest in having a nationwide system of adequate roads and in keeping all facets of the national economy healthy.

14. Federal highway trust fund moneys should not be expended for any other purpose than now authorized by law. They should not be used to subsidize or to create other forms of transportation.

15. The contract authority procedure, created by the Federal-Aid Highway Act of 1922, which gives the State the right to initiate projects as soon as an official apportionment is made, should be restored and the reimbursement planning procedure, which was installed as a temporary expedient, should be eliminated.

16. The Interstate System should be completed on schedule without interruptions, or stretchouts, and no section of the system as planned should be deferred in an effort to try out the effectiveness of an alternate type of transportation.

17. The periodic interstate estimates, as provided by section 104(b) (5) of title 23, United States Code, "Highways," is the equitable and proper basis for apportioning interstate Federal funds to the several States to achieve simultaneous construction and completion of the Interstate System to proper standards.

18. Adding mileage to the Interstate System at this time would result in the delay of the completion of interstate routes, and any additions should be considered at a later time when a greater percentage of the currently authorized Interstate System is completed and at such time that proposed additions can be more accurately evaluated. At that time Congress could reappraise the Nation's highway needs to determine if it is in the national interest to extend the program.

19. Urban portions of the Interstate System constitute an integral and essential part of the system and should be planned and developed by the State highway departments as urban extensions and connections of the overall highway network and should be done in close cooperation with the appropriate local governments and interested Federal agencies.

20. The development of scientific relationships between transportation, land use, and urban development should be explored and these interactions established in order that highways in urban areas may be properly planned to serve the greatest need. Such planning should be areawide in extent and utilize administrative and technical assistance of the local government in helping the State highway official arrive at the final decision.

21. In major urban areas, where both the highways and rail transit facilities are required, they should not be considered competitive, but should be planned to complement each other into an efficient integrated system for transporting people and goods, with the desires of the public being the major guide.

22. It is recognized that in many locations, space over and under major highways must be utilized, but, in so doing, State permission should be required in addition to meeting Federal requirements, inasmuch as the maintenance and operation of Federal-aid projects is a wholly State responsibility.

23. Artificial deterrents or negative incentives to automotive travel in urban areas should not be instituted inasmuch as natural phenomena and economic factors will properly control the problem, if and when it becomes a problem.

24. The matter of sizes and weights for commercial vehicles allowed on highways should be determined by the several States having jurisdiction over the highways, and every effort should be made through interstate compacts or other appropriate arrangements to eliminate any nonuniformity that would agitate for nationalization of the highway system.

The sizes and weights of vehicles allowed on highways should be based on engineering and economic studies that will protect the investment of highways, yet give the maximum use of highways and the several State governments should be encouraged to adopt uniform weight and size regulations as recommended by AASHO policy.

Each State should have the authority to temporarily reduce the maximum allowable weight and size dimension of vehicles permitted to operate over its

highways during spring thaw period or other similar periods in order to protect the highway investment.

25. That the State highway department have approval of any and all proposals and plans designed to set aside elements of any highway, under its jurisdiction, for the purpose of installing rail transit or for the exclusive use of a special type of motor transport and such special use should be considered only after comprehensive studies show it to be the most economical and efficient arrangement possible and that it is in the public interest and will not create a safety hazard.

Senator McNAMARA. Now, you may proceed to comment as you see fit.

Mr. MACKIE. Generally, the position of the American Association of State Highway Officials is that the bill H.R. 12135, as passed by the House is generally acceptable to the overwhelming majority of the State highway departments. This sums up in a general term our position on the bill.

I would like to accent the fact that it is this bill as amended and as passed the House.

I would like to make one comment on page 2 of the testimony concerning section 3 that our illustrious Senator from Michigan has indicated interest in. I am reading Section 3:

As for this section on "Assistance for Displaced Families and Businesses," 47 of the State highway departments report that the language is acceptable or that they believe they can live with it; however, on the basis of a recent poll, 8 would prefer to see the section stricken altogether. It is our estimate that the total cost of moving people and businesses will come to some \$200 million.

To date, the orderly moving of people and business displaced by the highway program has not been a problem of any magnitude. Some few States already pay moving costs; however, most do not—but the hardships and human problems anticipated by some are not materializing.

Practically every State highway department is vigorously opposed to any proposal to replace the so-called Baldwin amendment now in H.R. 12135 with the original language of S. 3136, that would make the Secretary of Commerce, as a condition precedent to his approving a Federal-aid highway project, require the State highway department, through an agency or agencies acceptable to the Secretary, to assure that there is a feasible method for the temporary relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highways, and that there are or will be provided in areas not generally less desirable housing in regard to the availability of public utilities and public and commercial facilities at rents or prices within the financial means of the families displaced by the acquisition or clearance of such rights-of-way, decent, safe, and sanitary dwellings adequate in number to accommodate such displaced families and reasonably accessible to their places of employment.

It is the considered opinion of the majority of the State highway administrators, charged with the responsibility of moving the big Federal-aid highway program, that such a requirement and certification could afford an effective means of legally challenging the correctness of such a certification for the express purpose of delaying vitally ~~needed~~ highway work, especially in urban areas.

We realize most major highway projects are controversial in the planning stages, but not after the work is completed, and generally the opposition is a vocal minority, and such opposition must be considered in relation to the welfare and interests of the general public.

We are ready to accept our responsibility for making plans and decisions and taking action to do the highway job, but it should not be made any more complicated or difficult. We believe that the advisory assistance requirement, as now contained in section 3, and the balance of the section, as written, is acceptable as a compromise.

We are not oblivious to the welfare of our citizens in this matter and we assure you it is the practice of the States not to evict people indiscriminately. Highway commissioners are close to the people they serve, and are responsive to their wishes.

We would like to call your attention that section 3 applies to all Federal-aid highway projects; secondary, primary, interstate, urban, and rural, and, of course, the effect of such legislation for Federal-aid projects ultimately affects contracts awarded by State highway departments that are financed wholly by State funds. So, what is done by Congress regarding Federal funds involves also projects financed entirely by the State highway funds.

Even though the interstate highway program is financed with 90 percent Federal funds, nearly half of the funds going into State highway construction come from State moneys, so the States still are full partners in roadbuilding. In addition, maintenance is financed totally by the States and we agree that it should be.

Senator, with that I think I can conclude the formal remarks since the entire text is now in the record and ask if there are any questions of the committee?

Senator McNAMARA. Thank you very much.

In connection with your remarks on section 3, is it not a fact, that in your home State, Michigan, you have already had considerable experience with relocation, especially in urban areas?

Mr. MACKIE. Yes, sir, speaking now for Michigan instead of AASHO, we have experienced this in Michigan. We have done a considerable highway construction in urban areas. In effect, we are already meeting this requirement on an advisory basis, and we have experienced no real problems in that regard.

Senator McNAMARA. Are these relocations generally accomplished entirely with State or local funds?

Mr. MACKIE. Well, at the present time, the State of Michigan does not pay relocation expenses, Senator.

Senator McNAMARA. Does the highway department in certain counties pay some of the expense of relocation?

Mr. MACKIE. Michigan State Highway Department does not. What the counties do I am not certain. I would hesitate to answer that question.

Senator McNAMARA. Then, if we were now to adopt this section 3 in the highway bill this year, we would be treating the people that would be relocated in the future differently than people who had been treated in the past?

Mr. MACKIE. Yes, sir; that is correct.

Senator McNAMARA. This seems like hardly justifiable under the circumstance, especially since a great number of communities have already faced up to this problem and have met it in their own way, in various ways depending on the community.

Mr. MACKIE. Yes, sir, and, as you indicated this morning, I would share your concern with the drains on the trust fund. We have had different estimates introduced in the testimony now as to what cost of paying these displacees would come to.

I would say realistically speaking we could not get an estimate if there is no limit, for example, on business relocations. It is very difficult to make an estimate of how much it is going to cost.

Senator McNAMARA. Yes. There is quite a difference in your estimate. You say you think it will cost in the neighborhood of \$200 million, and the Bureau of Public Roads this morning estimated it as about \$75 million.

Mr. MACKIE. Yes, sir.

Senator McNAMARA. That is quite a wide difference in the estimated cost, is it not?

Mr. MACKIE. We arrived at our figure by polling the States and asking each State to estimate what it would cost locally and we came up with the \$200 million figure.

Senator McNAMARA. I suppose that in the past some consideration was given in condemnation awards for relocation costs?

Mr. MACKIE. Yes. As a practical the displacees are given consideration. No. 1, when the individual sells to the highway department they do not pay broker's commission, so actually they receive anywhere from 5 to 10 percent more than they would selling on the open market, and in those cases where we do have to condemn the land and there are jury awards, allowances are made on occasion for this.

Senator McNAMARA. We have received some mail indicating that the fund was being used to pay certain taxes beyond what normally you would expect to come out of this kind of fund. Are you familiar with that complaint?

Mr. MACKIE. Yes. I can speak for Michigan and assume that the same thing may be true in other States, and that is local taxes, for example, in Michigan we have a 4-percent sales tax. If we have averaged, let us say, \$200 million a year in highway building, roughly half of this will be for materials in which this 4 percent will apply. So at least \$4 million a year, now, in effect, is being drained from the trust fund, is not being put directly into highway construction that goes to the State government, and I think this would be an improper use of the trust fund money.

Senator McNAMARA. There is nothing in this legislation we are now considering to correct that, is there?

Mr. MACKIE. No, sir; there is not.

Senator McNAMARA. You feel there should be?

Mr. MACKIE. I think there should be.

Senator McNAMARA. This is more or less a duplicate payment to the State, is it not?

Mr. MACKIE. Yes, sir.

Senator McNAMARA. Thank you very much for your very fine presentation which is very helpful to this committee.

Mr. MACKIE. Thank you, Senator. It was a pleasure to appear here.

Senator McNAMARA. Is Mr. Tollenaar here from Oregon?

Mr. TOLLENAAR. I am right here, sir.

Senator McNAMARA. You are next on the list. Are you prepared?

Mr. TOLLENAAR. Yes, sir.

**STATEMENT OF KENNETH C. TOLLENAAR, EXECUTIVE SECRETARY,
ASSOCIATION OF OREGON COUNTIES, THE NATIONAL ASSOCIATION
OF COUNTY OFFICIALS**

Mr. TOLLENAAR. Yes, sir.

Mr. Chairman, may I have Mr. Carlin from our national association with me?

Senator McNAMARA. We would surely be very glad to have him join you at the table.

We are very glad to have you here, Mr. Tollenaar, and your associate, and see you have a comparatively short statement. You may proceed in your own manner.

Mr. TOLLENAAR. Thank you, sir.

Mr. Chairman and members of the committee, my name is Kenneth C. Tollenaar. I am executive secretary of the Association of Oregon Counties, and I am appearing today also as a representative of the National Association of County Officials.

The National Association of County Officials represents elected county officials in all of the States which have organized county government. Our national policy statement, "The American County Platform," contains the following provision:

8-6. *Forest access roads.*—We strongly support prompt implementation of the program objectives outlined in the long-range program for the national forests. Federal participation, by increased appropriations and authorizations in the construction of forest roads should be immediately accelerated, with road construction by timber purchasers being directed toward only those roads required for flexibility in their operations. The increased construction of forest access roads, by Federal appropriation, will result in a better, more permanent road system at a lower cost, more opportunity for competitive bidding by small timber operators, increased access for forest fire protection, recreation and other multiple uses, and increased revenues for State and local government.

Based on our study of the needs of the national forest system which resulted in this policy statement, NACO respectfully recommends that the level of Federal investment in national forest development roads and trails be established at the following levels: \$67.5 million for fiscal year 1963, \$90 million for 1964, and \$120 million for 1965. These figures were originally brought to Congress' attention through Senator Morse's S. 2936 and Congressman Ullman's H.R. 10619.

The interest of county governments in the national forest road and trail program is based primarily on Federal laws which stipulate that 25 percent of national forest revenues shall be shared with local governments, to be used for county roads and schools.

It is to our obvious interest to maximize the return from the national forests, since the receipts constitute an important local revenue, especially in States having large acreages of national forests.

More than 2 years ago, the public lands committee of the Association of Oregon Counties decided to give top priority in its activities

to a thorough study of national forest problems. County officials in my State are well aware of the importance of full utilization of national forest resources.

One of the aspects that concerned us was the fact that from the price of almost every timber sale, a large amount was being deducted to compensate the timber purchaser for the cost of building the required roads associated with the sale. Not infrequently, almost 50 percent of the value of the timber was reflected in this reduction in the stumpage price. Our officials reasoned that since this method of financing roads was reducing not only local receipts but also Federal receipts, the public was, in effect, paying for the roads, and we began to wonder whether the public interest in the road program was being fully protected.

The first thing we found out in making our study of this problem was that more than 90 percent of the national forest road mileage, and about 80 percent of the cost of the roads, was accounted for by purchaser construction. We found that these percentages were higher in Oregon than in many other parts of the country, but that in most of the timber-producing States of the West the percentage of purchaser construction was in excess of 50 percent.

This encouraged us to dig deeper into the problem. We found that the high level of purchaser-financed construction is regarded by all concerned—Forest Service, industry people, and others—as an expedient made necessary by lack of appropriated funds for access roads. We also found that the lack of such funds is causing some very serious problems not only for the county and Federal budgets, but for the entire national forest management program.

Perhaps the most important problem is that the objectives of the Multiple Use-Sustained Yield Act of June 12, 1960, cannot be achieved because the roads being built with purchaser funds are neither located so as to achieve these objectives, nor are they built to the standards required for multiple use. About 60 percent of the area of national forests in our region is relatively inaccessible, and will require a great deal of access road construction if that part of the area is to be “administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes,” as stipulated in the act of June 12, 1960.

I am sure that the Forest Service will testify, if they have not already done so, as to the tremendous increase in the demand for public recreation sites in the national forests. I can certainly testify from firsthand knowledge that every existing camping area in the national forests in Oregon is being utilized fully, and that it is a most unpleasant experience to be turned away from a full campground after traveling for miles with a carload of hot and hungry children.

The recreation resource is there, ready and waiting, but it cannot be utilized unless there is access to the area. The same can be said for the other national forest resources.

Even within the timber harvesting program, which is so important to us in the West, the present low level of road and trail appropriations, and the reliance on timber purchasers for building roads, creates many problems.

In the first place, roads built by purchasers can only be built to the standards that a so-called “prudent operator” would use to harvest

the timber from the particular sale. This usually means that the road has but a single lane, has no permanent surfacing, and is provided only with temporary bridges. In 1958, the Forest Service reported to this committee that of 149,649 miles of forest access roads then in service, 112,653 miles "were of primitive standards and classed as inadequate for present or future traffic."

These "prudent operator" roads are not bargains. They involve very high maintenance costs and very high hauling costs. Unfortunately, many of these roads are going to have to be rebuilt during the coming years. A recent engineering study in region 6 of the Forest Service analyzed the effect of maintenance and hauling costs as components of total annual costs per mile of road at different construction standards, and estimated that if access roads in region 6 could be built to planned standards during the next 20 years, savings in maintenance and hauling costs alone would amount to \$329.5 million, as compared with construction costs of \$282 million.

If appropriated funds were available, the main line and secondary access roads in the national forests could be built to permanent standards as they are needed, with the added cost to the Government being recovered from future sales.

Another problem inherent in the present method of financing roads in the national forests is that it makes it difficult for the small logger or mill to bid on national forest timber sales. When the roads are financed by the purchasers, timber in the more remote areas must be sold in very large blocs to justify the cost of building roads. The large capital outlays for roads required by these sales cannot easily be met by small operators. When the Government builds the roads and includes the cost in the stumpage price, payments are made as the timber is actually cut. This makes it possible for small operators to participate, thus increasing competition for national forest timber.

The decline of competition in the forest industries is a distressing and ominous fact in our part of the country. We have only about one-third the number of timber operators now that we had just after World War II. The Forest Service should be concerned with this development, since it seems obvious that its efforts to maintain a fair pricing policy for national forest timber will be facing even greater odds than they do now as competition declines. Competition in yet another aspect is lacking under the present program. When the purchaser of national forest timber is required to build his own access roads, in most cases he does it with his own crews and equipment, and does not put the road job out for bids to professional road contractors. He is a timber operator, not a roadbuilder, and once he has bought his sale, his main concern is to get into the area and start cutting.

We believe that national forest roads would be built better and cheaper if they were built by professional road contractors. The law requires the Forest Service to put out for bid any road costing more than \$10,000 per mile, but this requirement is not binding on roads built by timber purchasers.

Finally, as long as access roads are located only in immediate sale areas, there will be no means of harvesting the billions of board feet of overripe timber in remote areas, nor will there be any means of salvaging additional billions of feet blown down or killed by insects, fire, and disease each year. We estimate that in region 6 alone, from

\$3 to \$5 million annually could be added to the Federal Treasury if these salvage values were available.

In the process of conducting our study of these problems, we became convinced that the development program for the national forests, transmitted to Congress by President Kennedy, on September 21, 1961, should be fully implemented. The key to all other aspects of the program is an adequate system of national forest development roads and trails.

Even with the increases for this program, approved by the House on July 18, the program will only be at 81.3 percent of the level required for full implementation of the first 10-year phase of the program. As indicated by the Forest Service, the 10-year program calls for appropriated funds for roads and trails of \$1.2 billion. Considering internal adjustments necessary within the Forest Service to administer the program at this level, we believe that our recommended levels of \$67.5 million for 1962, \$90 million for 1963, and \$120 million for 1964, are conservative to implement this 10-year program.

The additional money is most properly to be regarded as an investment, and it is the kind of investment that most businessmen would be eager to make. When roads are built by appropriated funds, their cost is added to the price of timber sold, and the investment is, therefore, recovered very rapidly. In a very real sense, this kind of investment is "seed money" from the standpoint of the Federal Treasury, since it will encourage more competition for national forest timber which will increase stumpage rates. It will also permit the harvesting of timber which would otherwise be completely wasted, and will add revenue from this source which otherwise would not be forthcoming at all.

The demand for national forest timber, for recreation, and for other national forest products, is already with us. In particular, the demand for timber is not wholly dependent on current market conditions, since it is due partly to a long-term trend toward increasing the relative share of the total timber harvest on public lands, and decreasing the relative share cut on private lands.

The longer we wait to meet this demand, the more serious the consequences for the national economy, and the harder it will be to ultimately catch up with it.

In addition to our very strong support of the forest development roads and trails program, we specifically endorse the provisions in H.R. 12135 which would increase the authorizations for Federal-aid primary, secondary, and urban extension highway routes—A-B-C roads—from \$925 million annually to \$950 million for fiscal 1963, and \$975 million for fiscal year 1964. The progressive increases in funds authorized for the A-B-C program should be continued at the annual rate of \$25 million per year until the annual authorization of \$1 billion is reached, in accord with Congress' original intent as expressed in the Federal-aid Highway Act of 1956.

On behalf of the Association of Oregon Counties and the National Association of County Officials, I want to express my sincerest appreciation for this opportunity to present our data and our views.

Senator McNAMARA. Thank you very much, for your fine presentation.

Have you any questions or remarks, Senator Randolph?

Senator RANDOLPH. Mr. Chairman, I was not present for this statement by Mr. Tollenaar excepting the last two or three pages of the prepared material. I can sense, even though I have not read, the importance of the counsel which the National Association of County Officials brings to the subcommittee. I am sure that you, as well as all of us associated with you in the conduct of the hearing, will find this information to be of value.

Mr. Chairman, if I might comment on the testimony of General Prentiss, it was necessary for me to go to a meeting of the Post Office and Civil Service Committee, but I have had the privilege of reading the statement on behalf of the American Road Builders' Association, and I feel that the four recommendations which were spelled out in the testimony of General Prentiss are of such a nature that in the subcommittee as well as the full committee we will want to give careful consideration to the recommendations and to the background and study which caused the American Road Builders' Association, through its representative, to ask certain Highway Trust Funds be not impaired, that certain relocation costs be not added indiscriminately, and that in other ways we be very careful in connection with our programing of the funds for carrying on this work. I attach special importance to the recommendations of the American Road Builders' Association because of the public service aspects of its operations and its recognized leadership, since 1902, in the field of highway engineering, finance, and construction.

Mr. Chairman, I appreciate your courtesy in allowing me to question an earlier witness today out of order. I am grateful.

Senator McNAMARA. Do you have any questions, Senator Moss?

Senator Moss. I have no question.

Senator McNAMARA. Senator Smith?

Senator SMITH. I have no questions, Mr. Chairman. Thank you.

Senator McNAMARA. Thank you very much. Your material will be very helpful to the committee.

Now, we have Mr. Frank Lyon, Director of the Oklahoma State Highway Commission, and we would like very much to have Senator Kerr present because he particularly asked to be here when Mr. Lyon made his presentation.

All right, Mr. Lyon, we will make further effort to get Senator Kerr because he is very desirous of being here when you testify, and I am sure the staff people here are working on it. We received word 10 or 15 minutes ago that he was on his way to this hearing. So maybe it was necessary for him to take a detour.

STATEMENT OF FRANK LYON, DIRECTOR OF HIGHWAYS, STATE OF OKLAHOMA

Mr. LYON. Mr. Chairman, thank you.

First of all, we want to talk about a particular road, but it has a bearing on what you have heard in testimony here both by ARBA and by Mr. Mackie speaking for Michigan, and that is this: The point we want to drive home is when we talk about a forestry road or public lands roads, roads of that type, we are well aware and strongly support the position of not bothering, not transferring funds from the trust fund to those types of roads.

So as we make a plea for a road in an area we recognize, we are making a plea for additional funds, as it were, for these particular roads, but we still strongly support not bothering the Trust Fund.

And we appreciate your support in that matter, too.

Senator McNAMARA. Thank you very much.

Mr. LYON. The road we want to discuss and talk about you heard discussed some this morning, and it is about a 56-mile road, some 19 miles in Arkansas, and some 37 miles in Oklahoma. It is strictly a forestry type road and so that I do not encroach upon their testimony, which you will hear a little later, I just want to say briefly that forestry people have been interested in this road since about 1954 or 1955, and there have been various pamphlets put out on it, and that sort of thing, to try to promote a road there. It will be one for recreation and scenic type travel. It will also have something to do with forestry services and forestry access, but it is primarily a scenic recreational type road.

Some of the problems that have been discussed in connection with it is that it is on a ridge. It will be a road that will be curved, and so forth, so you can get the views, a skyline type road. It will not have development within, it has been suggested, 200 feet of the road at any place, so that the road will not be obscured.

We are in somewhat of a strained position here pushing very, very strongly for this road. Generally, the roads we push for are utility-type roads, and we think this is an absolute necessity, of course, for Arkansas and Oklahoma in that area and that it can show great development of an area which does need development.

The costs, as were discussed this morning, also the type of costs that are involved, are on the order of about \$6.2 million. There were some spurs connected with this, coming down off the ridge, which the forestry people probably will discuss with you again, and that has been taken off, and it was thought that it would be relatively practical in a sense to extend the construction of the road over a 4-year period, as we tried to work it in.

We found—brought out in our meetings, and so forth, back and forth, with both Arkansas, the Department of Interior, Bureau of Public Roads, and so forth—a great demand for roads of this type, and so besides trying hard for one in our own State we think that we do some service in bringing before the committee the great need and the great pressures and requests for this type of development all across the country. You will see it developing not only in the West, where it has always been the strong development, but all across the country, and so probably this problem will have to be met again, again, and again.

So we want to be one of the first States to hit strongly into this, and we want to mention without taking too much more of your time the possibilities of financing, which will have to be discussed and, of course, in your wisdom decide how to try to finance.

First of all, no transfer from the trust fund.

Secondly, there is a possibility that it will be financed by increasing public lands road funds, and again I believe the forestry people will talk to you about that.

Thirdly, to the forestry development, the forestry access roads as they now exist or perhaps a new category of roads which we will call recreational type.

All of these have certain strengths and weaknesses, and we thought only to point out that increasing the public land road funds does give a jurisdiction and under present law does give the machinery which is there to do it with presently written laws.

Under the new category, it will be a recreational type road. There is a slight administrative problem—maybe it is not slight, depending on the amount of the fund, but an administrative problem in designating too many different types of roads outside of the regular A-B-C program.

Again, in closing, we want to strongly urge that conditions being what they are that we need to bring to your attention very, very strongly the need for this type of road, and to ask that consideration be given to it, and that we certainly hope that Oklahoma and Arkansas, in this case, are two of the first States to come in with a road which is a forestry recreational-type road.

Thank you, Mr. Chairman.

Senator McNAMARA. We want to thank you very much for your contribution, and I guess you saw some indication this morning that real consideration will be given to this problem.

Mr. LYON. Yes, sir.

Senator McNAMARA. Thank you.

That seems to complete our list of witnesses today.

Do any of the Senators have any questions or comments on the proposition?

Senator Smith?

Senator SMITH. No, Mr. Chairman.

Senator McNAMARA. Senator Moss?

Senator MOSS. No; I have not.

Senator McNAMARA. You have many areas, I am sure, in similar condition. If you have any comment, we would be glad to have it at this time.

Senator MOSS. Yes. I listened with great interest to what the witness had to say. Certainly, we do have that problem. I am in hearty agreement. We need to give more attention to it.

I had a road problem that I was trying to solve myself, but I was looking through here to see if any place we could find the funds for it. We have a road running out to a wildlife refuge that I have been trying to get some funds for for some time. We got it in the appropriations bill on the Senate side and the House conferees insisted on knocking it out. I am trying to find out where we could get it here and get something done for that road.

Senator McNAMARA. You will have some time to work that out, and I am sure at this point the Chair would be of very little assistance to you.

Senator MOSS. Time is of the essence, Mr. Chairman.

Senator McNAMARA. If there is nothing further coming before the hearing, the hearings are adjourned until 10 a.m. tomorrow.

(Thereupon, at 2:55 p.m., the subcommittee recessed, to reconvene at 10 a.m., Wednesday, August 8, 1962.)

FEDERAL-AID HIGHWAY ACT OF 1962

WEDNESDAY, AUGUST 8, 1962

U. S. SENATE,
SUBCOMMITTEE ON PUBLIC ROADS OF THE
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10 a.m., in room 4200, New Senate Office Building, Senator Pat McNamara (chairman) presiding.

Present: Senators McNamara, Kerr, Randolph, Young, Metcalf, and Miller.

Also present: Senator Chavez, chairman of the full committee. Senator McNAMARA. The hearing will be in order.

We are very happy to have two very distinguished Members of the U.S. Senate here to testify this morning.

Gentleman, I believe you have worked out some sort of arrangements between you. Senator Stennis indicates that we should first recognize you, Senator Case.

Senator CASE. Thank you very much, Mr. Chairman. I should like, with your permission, to yield for as long as he may require to my distinguished colleague, the Senator from Mississippi.

Senator McNAMARA. Very well, Senator Stennis.

STATEMENT OF HON. JOHN STENNIS, A U.S. SENATOR FROM THE STATE OF MISSISSIPPI

Senator STENNIS. Thank you, Mr. Chairman, and thank you, Senator Case.

May I express a special personal pleasure in appearing before this subcommittee with its fine chairman, and also in company with the chairman of the full committee, who is the gentleman, Senator Chavez, who tried to start me out right in the Senate a good number of years ago, and I feel a very lasting debt of great gratitude, along with many others who feel the same way, to Senator Chavez.

Mr. Chairman and members of the committee, the reason I was going to be so very brief is because I have a committee meeting, of which I have to serve as chairman, but this is a small request for authorization for an additional \$550,000 to meet this situation with reference to rebuilding a length of the Natchez Trace Parkway which runs near Jackson, Miss.

Now, the people of Jackson and that county are building at their own expense a \$22 to \$24 million reservoir on the Pearl River. That is for water supply, and so forth. And this Natchez Trace runs along near this Pearl River for a good number of miles, but at one point,

where this reservoir is going to back up the water, a relocation of the Federal parkway is necessary, and the original estimate on this is reflected in the Federal Highway Act of 1959 as \$2 million. You authorized it at that time.

Now, as is true in such projects, military projects and others, as sometimes worked out it takes more money than originally thought. And there is an authorization, then, in this bill for the additional \$550,000.

I have a few questions here that Mr. Carver, who is handling this for the parkway, is familiar with, and when he comes on the witness stand I hope that the chairman or the clerk will ask him these questions, and that will reflect all the facts from the official viewpoint, and, also, I would like the privilege of putting in the record a letter from the chairman and attorney for this reservoir that I have referred to, and showing how it works.

I thank the chairman and thank Senator Case.

(The letter referred to is as follows:)

WATKINS, PYLE, EDWARDS & LUDLAM,
Jackson, Miss., August 6, 1962.

In re Natchez Trace Parkway. U.S. Department of the Interior, relocation occasioned by the construction of the Pearl River Valley Water Supply District Reservoir.

Senator JOHN C. STENNIS,
Senate Office Building, Washington, D.C.

DEAR SENATOR STENNIS: The Pearl River Valley Water Supply District is working against a timetable calling for completion of the reservoir and filling that reservoir with water during the month of December 1963.

As you know, this present month of August 1962, completes 5 hard years of work on this project.

To complete by December 1963, will require the relocation of the Natchez Trace Parkway and its removal in certain places; otherwise the Natchez Trace Parkway would be under some 12 to 15 feet of water in certain areas.

Although we have given proper attention to this matter, the Natchez Trace land acquisition, which is being done by the reservoir and at the expense of the reservoir, has caused some delay. We are at the point of acquiring most of the remaining parcels within the next 60 days, either by direct acquisition or by condemnations.

We have accomplished the necessary protection for Southern Natural Gas Co. and its 16- and 18-inch natural gas pipelines; we are in substantial agreement with United Gas Pipe Line Co. for the protection of its 30-inch high pressure natural gas pipeline. We are taking bids today on the relocation of the Gulf, Mobile & Ohio Railroad main line facilities.

You will readily understand, therefore, that the relocation of the Natchez Trace Parkway in part during the remainder of this year, and to be completed prior to December of 1963, is a matter of prime concern.

Yours very sincerely,

H. V. WATKINS.

Senator McNAMARA. Without objection, your request will be honored.

Senator Case.

STATEMENT OF HON. CLIFFORD P. CASE, A U.S. SENATOR FROM THE STATE OF NEW JERSEY

Senator CASE. Mr. Chairman and members of the committee, I have a prepared statement, which I believe has been circulated.

With permission of the committee, I will not read it but submit it for the record and ask that it be incorporated in the record in full at this point.

Senator McNAMARA. Without objection, it is so ordered.
(The statement referred to follows:)

REMARKS PREPARED FOR DELIVERY, SENATOR CLIFFORD P. CASE

I appreciate this opportunity to appear before your committee. You are considering H.R. 12135, the Federal-Aid Highway Act of 1962, which provides the customary biennial authorization of highway funds for fiscal years 1964 and 1965.

But there are items of considerable importance in this House-approved bill which go beyond the basic provision of funds to extend America's Federal-aid primary, secondary, and urban highway systems. Section 7 of H.R. 12135, for example, could have an important effect on the success or failure of another program, not within the jurisdiction of your committee—the mass transportation program.

As a cosponsor of the administration's mass transportation bill, I am, of course, deeply interested in the accomplishment of its objectives. But I believe the purposes of the President's mass transportation program can be effective only to the extent that highways and mass transit projects in urban areas are coordinated. I am the sponsor of a bill to meet this need, and I believe that my objective is also that of the President as set forth in his transportation message, as it relates to the need for coordinated transportation planning.

It is fundamental, I believe, that comprehensive areawide transportation programs should be worked out so as to insure the most effective use of any large-scale Federal assistance.

The President has asked Congress to initiate a new \$300 million mass transportation program. I do not regard the program as a threat to the highway program. In some areas, parallel development of these systems may be in order. In others, rapid transit, rather than major highway construction or vice versa, may meet a particular situation. If both the Federal urban road and mass transportation programs are to proceed each without regard to the other, we will not be making the wisest use of our resources in the search for sound solutions of our transportation problems in urban areas.

What the President is advocating, what I am trying to do, what this committee will surely seek to accomplish is simply to assure that the taxpayer gets the most out of his transportation dollar and that the transportation needs of our citizens are best served. Waste and duplication in urban transportation will not help the roadbuilding program in the long run any more than it can assist those urban areas where mass transit projects best suit the particular situation.

In his message to Congress of April 5, the President said, with regard to the control of highway funds:

"In addition I recommend that the Federal-aid highway law be amended to provide that, effective not later than July 1, 1965, the Secretary of Commerce shall, before approving a program for highway projects in any metropolitan area, make a finding that such projects are consistent with comprehensive development plans for the metropolitan area and that the Federal-aid system so developed will be an integral part of a soundly based, balanced transportation system for the area involved."

And, with regard to the same type of control sought by the President over the spending of mass transportation funds, Administrator Robert Weaver of the Housing and Home Finance Agency, told the Housing Subcommittee:

"Before a grant is made for any project, our Agency would have to determine that the facilities and equipment for which the assistance is sought are needed for carrying out a program for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area. This transportation program would have to meet criteria established by us.

"This means that a grant of public funds would be used only for a project which is necessary for the local mass transportation system, that the mass transportation system would be an integral part of a coordinated transportation program to carry out an overall transportation plan, and that the transportation plan, in turn, would fit into the areawide program of comprehensive planning for the development of the urban area. Responsibility for the transportation system could be exercised by a single agency or through officially coordinated agencies.

"Provisions similar to these planning requirements are also contained in S. 3122, introduced by Senator Case of New Jersey. That bill, which was introduced

prior to the administration bill, has the same basic objective as our proposals in this regard."

My bill, S. 3122, which is not before your committee, would accomplish the objective by placing under one roof—the Housing and Home Finance Agency—the final responsibility for allocating funds for both mass transportation projects and highways financed with Federal funds.

The administration seeks to reach the same goal by dividing responsibility between two Federal agencies—the Department of Commerce and the Housing and Home Finance Agency.

The administration would amend two separate laws to reach this objective: section 4 of S. 3126 would amend the Housing Act; section 7 of the McNamara bill, S. 3136, now pending in your committee, would amend the Highway Act.

The goal of integrated planning and development of urban transportation in our urban areas is, as I have sought to point out, of great importance. In this instance, the objective would be clearly met by the language of section 7 of S. 3136, the administration bill pending before your committee. It follows precisely President Kennedy's sound recommendations for achieving coordinated planning and development of urban transportation.

Section 7 of H.R. 12135, too, is based on the President's recommendations. The language of this bill and the language of the report of the House Committee on Public Works do not appear to follow the President's recommendations quite so specifically.

I doubt that the House meant to weaken to any serious degree the President's determination that, in urban areas, controls, based on coordinated planning, should be placed on the spending of Federal funds for both mass transit projects and highways in urban areas. For the House committee report states that "others (recommendations of the President) included material covered under sections 6, 7, and 9 of H.R. 12135 relating, respectively, to the use of secondary highway funds in urban extensions of the secondary system, transportation planning in urban areas and highway planning and research. The committee feels that H.R. 12135 meets the objectives of the recommendations set forth in the President's message on transportation as they relate to Federal-aid highways."

But there have been suggestions that the House bill, H.R. 12135, departs entirely from the President's recommendation for the coordination of urban transportation plans. It has been suggested that the House bill now requires only the coordination of highway plans as a prerequisite for the granting of Federal funds, rather than the coordination of all transportation plans for urban areas.

In this light, I believe it is essential that your committee make clear its sense that the President's proposals in this regard are an integral part of his overall transportation program and that the legislation it recommends fully meets his objectives.

I have a deep appreciation of the painstaking care with which, every 2 years, this committee approaches its difficult and often unheralded task. Thank you for hearing me today.

Senator CASE. Then I will come directly to the point, if I may, with a brief oral summary.

Of course, I support the bill that is before your committee, the proposed Highway Act of 1962. There is one point that is the reason for my appearance here, my interest in coordinated transportation for metropolitan areas.

The President's recommendation in his message of April 5, 1962, Document No. 384, on page 12, and the third paragraph contains the particular point to which I would like, if I may, direct the committee's attention.

It is the recommendation that, effective not later than July 1, 1963, the Secretary of Commerce, before approving a program for highway projects in any metropolitan area, make a finding that such projects are consistent with comprehensive development plans for the area and that the Federal-aid system so developed will be an integral part of a soundly based balanced transportation system for the area involved.

Pursuant to that recommendation, Mr. Chairman, the chairman of the subcommittee introduced on April 10 S. 3136, which I understand is pending before the committee, among other bills, the Senate version of the highway bill.

In section 7 of that bill, on page 8, language responsive, as I understand it, to the President's recommendation to which I have referred, is contained.

It seems to me that this directly completely responds to the President's suggestion.

I would be most happy if, in the committee's wisdom, it decided to make that language part of the bill which is recommended.

The House, of course, considered this matter and had before it a companion bill originally, to the bill introduced by the Senator from Michigan. After consideration, a clean bill was introduced by the House committee and passed, H.R. 12135, introduced on July 19, and that bill, as I understand it, is before the committee now.

In section 7 of that bill comparable language is contained to that contained in section 7 of the bill of the Senator from Michigan.

There are some changes, and it is the question of the effect of these changes that I want to talk about now, and, specifically, while the House committee in its report suggests that it is accomplishing, in substance, the President's recommendation for coordination of all forms of transport in metropolitan area, there have been suggestions, not by the House committee, I think, but from the outside, that this is intended to limit the degree of coordination required and, very specifically, that the Secretary of Commerce is not obliged to see whether a particular highway grant conforms to a comprehensive program of transportation of all sorts, but only whether it is in conformity with a plan for integration of highways alone.

In my opinion, Mr. Chairman, this will be most unfortunate if this interpretation should be allowed to prevail. I do not think it is the intention of the House or the House committee. I am sure it will not be your intention, but it is my concern that, in the way that you best see fit, you clear up any possible misapprehension on that score and make it clear that you support, as I do, the President's recommendation that after this date there be no grants of Federal highway funds except in conformity with plans for metropolitan areas embracing comprehensive transportation systems of all sorts.

And that is the nut of my testimony, and I shall lay myself open to any questions you may have, or, otherwise, get on with my work and let you get on with yours.

Senator McNAMARA. Are there any questions?

Thanks very much. You can be sure your recommendations will be given every consideration.

I see we have Senator Frank Church in the audience. We also have a Congressman. We hope to hear from him after you, Senator Church. He is Congressman Harris, incidentally, who was here yesterday. We asked him to return today. So we are under some obligation to him.

Senator CHURCH. Mr. Chairman, I am waiting upon a letter that I would like to put in the record following my short statement, and I will be very happy to accommodate the Congressman if he would like to appear first.

Senator McNAMARA. You are very gracious, and we appreciate that very much.

Congressman Harris. Why not stay right there, Senator Church?

**STATEMENT OF HON. OREN HARRIS, A U.S. REPRESENTATIVE
FROM THE STATE OF ARKANSAS**

Representative HARRIS. May I thank the Senator very much for giving me this opportunity to proceed.

Mr. Chairman and members of this distinguished committee, first, let me thank you for the privilege of coming before you on a matter which, I think, is highly important, vital to our area of the country, my own State and district, and the State of Oklahoma, which the distinguished Senator, Mr. Kerr represents, and my own distinguished majority leader, Carl Albert, his district which joins mine.

Let me say, also, that I am in accord with the objectives of this legislation, and I support the highway program as is proposed in this legislation, generally.

Second, I want to say that I am here representing, not only myself and my district, the State, but I speak for Senators McClellan and Fulbright, as well as my majority leader, Mr. Carl Albert, on this highly important project.

The western part of Arkansas and the eastern part of Oklahoma, in my judgment, are among the most scenic and beautiful areas of the United States. There is a long, long history about this particular area that I would not take your time to describe, but it goes back to the days of the Louisiana Purchase and the development that we have had in this area since, even to the outstanding and interesting incident of Queen Wilhelmina coming to the top of Rich Mountain and there building herself a fine home and resort, which she never did get to actually visit herself because, on her way to the United States, in New York, as you remember history, she became ill and had to return to her own country.

This Rich Mountain area is Ouachita National Forest, a part of it, one of the areas which President Theodore Roosevelt established when he was President of the United States, and I show you a picture of the Ouachita National Forest, Mr. Chairman and members of the committee, of my own district and State and the eastern part of Oklahoma.

I come to you asking that we be permitted to construct and build a road across Rich Mountain in the national forest for many justifiable reasons which starts at around Mena, Ark., and goes west some 20 miles, I believe, or 26 miles in Arkansas and then on west into Oklahoma, for a total of about 60 miles.

I testified before the House committee, Mr. Chairman, on this highly important program. At that time, we had underway the consideration of a joint effort between the Highway Department of Oklahoma and Arkansas, the Forest Service, the Bureau of Public Roads, in an effort to get this project underway. It had not been consummated at that time. But I did leave with the House committee the full information on the program.

Recently, these groups have come together and a program has now been worked out in which it is the purpose of the States of Oklahoma and Arkansas to bear the cost of the design, survey, supervision of

construction, with the Federal support through this area of our Ouachita National Forest and to maintain the completed Skyline Drive.

Most of the acquisition of lands will be no problem at all because it belongs to the national forest. Only a very small part of it does not, because there is a State park in this area called Wilhelmina Park, incidentally, which the State of Arkansas has made into a State park and is supporting with funds at considerable cost. The States of Oklahoma and Arkansas, under this action, it has been recently agreed to, will have their portions of the Skyline Drive placed on the respective State highway systems by appropriate action.

The Forest Service and the Bureau of Public Roads will be formally requested to work out plans to cooperate with this program and have agreed to do so. We have a target date understood and agreed to of some 4 years.

I am authorized to advise this committee that—

The Arkansas Highway Commission will add the Arkansas portion of the Skyline Drive, Ouachita National Forest, to State highway system and will perform necessary engineering with Federal support, provided construction and right-of-way is financed as a forest recreation way. This department is prepared to proceed immediately with surveys and designing the project when construction is so financed. You are authorized to present this telegram to the Senate committee.

F. R. OLIVER,
Director of Highways.

And I leave a copy of this wire, Mr. Chairman, with you, showing that the State highway commission is ready to proceed with its part of this program that has been worked out and agreed to.

Senator McNAMARA. Without objection the wire will be made a part of the record at this point.

(The wire referred to follows:)

AUGUST 7, 1962.

Congressman OREN HARRIS,
House Office Building, Washington, D.C.:

Arkansas Highway Commission will add Arkansas portion Skyline Drive, Ouachita National Forest, to State highway system and will perform necessary engineering with Federal support provided construction and right-of-way is financed as a forest recreation way. This Department is prepared to proceed immediately with surveys and designing the project when construction is so financed. You are authorized to present this telegram to the Senate committee.

F. R. OLIVER,
Director of Highways.

Senator McNAMARA. You may proceed.

Representative HARRIS. Now this is in keeping, Mr. Chairman, with the law. The 86th Congress provided Public Law 86-517, of which this chairman and the members of this committee are thoroughly familiar, in which it said:

The national forest shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes, for multiple use and sustained yield of the several projects and services obtained therefrom so there they will utilize the combination that will best meet the needs of the American people, making the most judicial use of the land and giving harmonious and coordinated management to the various resources, each with the other, without impairment of the productivity of the land.

This fits it exactly to a "T," so, without taking any more of your time, because Senator Kerr is so familiar with this project, I might say

we had a meeting on top of Rich Mountain last December in which our Governor of Arkansas attended, the representative of the Governor of Oklahoma, representative of the distinguished Senator, Senator Kerr, Mr. Carl Albert of that district, myself, members of the highway commission in Oklahoma, members of the highway commission in Arkansas, the National Forest Service, the State forest service of both States, all parties interested in and who formulated the initial plan, and out of that came agreement that the National Forest Service would undertake a preliminary survey, which has been completed, and I offer a copy of this for your file, if not for the record, indeed. A part of it should be in the record, because it outlines not only the introduction, but it gives, section by section, the location, the valuation, criteria, and so forth, which would be highly important and for your own use and information.

This project is estimated to cost in the neighborhood of some \$6 million. It would come as a part of the program which this committee worked out under land use provisions for roads through our national forest. There is no finer in the United States.

And I join my delegation and the Oklahoma delegation and our State people, the national forest people, and everyone who recognizes the full value and justification of this, in urging that this committee authorize this program as a part of this important highway program which you are considering today.

Thank you very much for this privilege of coming with you.

(The report referred to is as follows:)

PRELIMINARY RECONNAISSANCE REPORT ON SKYLINE DRIVE IN OKLAHOMA AND ARKANSAS OUACHITA NATIONAL FOREST

INTRODUCTION

Public-minded individuals and organizations in western Arkansas and eastern Oklahoma have repeatedly supported public recreation developments in this portion of the Ouachita National Forest. As early as 1928 the Ouachita National Park Foundation Society was organized for the purpose of seeking congressional support for the creation Ouachita National Park (160,000 acres) southeast of Mena, Ark. In 1933, this same area was proposed for establishment as a national monument. These movements were later abandoned in view of improvements being made by the U.S. Forest Service in developing roads and recreation facilities. Also, through the efforts of these people, Wilhelmina State Park was established atop Rich Mountain. The historic Wilhelmina Hotel is presently being restored by the State and would be a primary attraction to visitors touring the proposed Skyline Drive.

Congressional interest for developing this Skyline Drive was shown in 1954-55 and revived again in 1959. The U.S. Forest Service has been in agreement with local groups regarding the desirability of this project, but has pointed out that it has no funds to accomplish a project of this size.

The development of the proposed Skyline Drive will create an important tourist attraction by opening up large areas having unusual scenic, historical, botanical, and geological significance. Extensive new areas will be made available for camping, picnicking, sightseeing, hunting, and fishing. This project will also be a boost to the economies of local communities which are already realizing increasing benefits from the recreational resources of the national forests.

A single-track access road presently follows more than half the general route of the proposed drive. Even this narrow graded road attracts thousands of visitors each year who come to view the magnificent scenery. Fall color tours are especially popular, attracting organized bus caravans from as far as Oklahoma City. Abundance of deer on the mountain is a special attraction to hunters. Historical interest surrounding the many ruins of pioneer settle-

ments dating back to the days of the Choctaw Nation is of special interest. One part of Rich Mountain offers a very unusual variety of plants and trees.

Construction of this scenic highway will serve to carry out many of the objectives of the multiple-use program of the Ouachita National Forest by providing needed access for intensive development of the natural resources involved.

GENERAL DESCRIPTION OF ROUTE

The proposed Skyline Drive will extend for approximately 55 miles through the Ouachita National Forest along the crests of the highest of the Ouachita Mountains in western Arkansas and eastern Oklahoma. Its eastern terminus will be Mena, Ark., on U.S. Route 59-71 and State Routes 8 and 88. U.S. Route 59-71 running north and south forms a junction with U.S. 270-59 just 4 miles north of Mena, providing access from the east. Junction with U.S. Route 271 is its western terminus, 7 miles northeast of Talihina, Okla. Crossing Skyline Drive at its approximate midpoint is Oklahoma State Route 103, connecting U.S. 270-59 4 miles to the north with State Route 63, 5 miles south.

The 55-mile-course drive rises from an elevation of 1,150 feet at Mena to a maximum height of 2,681 feet, the highest point of Rich Mountain, and on to Wilhelmina State Park. State Route 272 drops from the mountain crest to U.S. 59-270 on the north from the State park area. Continuing westerly along the meanders of the mountaintop, past "rock slides" (extensive outcroppings of rock covering 3 to 4 acres and more in some instances) into Oklahoma, and down to the saddle at the west end of Rich Mountain to a potential recreation impoundment site.

From the low point of the saddle the road grade will follow the contour along the right-of-way of an early day logging railroad to State Route 103. Following 103 for 1 mile to the top of the east end of Winding Stair Mountain, the route continues westerly on the divide of the basins of the Arkansas River to the north, and the Red River on the south. Spur roads drop to the valleys, right and left, providing access to Wister State Park, Lake Wister, Cedar Lake, Billy Creek Recreation Area, Kiamichi River (renowned for fine sport fishing), Kiamichi Mountain vistas, and paved highways leading to popular Beaver's Bend State Park.

The western 5 miles of the drive drops from the point on which is situated Sycamore Lookout Tower past Bear Den Cave picnic site, across historic military trail (recalling such names as Robert E. Lee, Jefferson Davis, and other young military officers of America's historic western development who are reported to have gained experience along its winding alinement), and ending at U.S. Highway 271.

Throughout the length of the mountaintop road location the paralleling valley floors follow at varying levels averaging 1,500 feet below the roadway.

The slopes of the mountains present a great variety of plant life from young to ageless, and small to immense, of herbaceous and woody growth. The north slope of Rich Mountain in particular is well known for its great number of species of plants.

Almost limitless possibilities exist along the proposed locations for the development of forest recreation facilities of all kinds, as well as for providing better access and expanded use of those already in existence.

In addition, many areas of historical interest dealing with the Indian era and subsequent pioneering and early logging can be shown.

The proposed Skyline Drive route is readily susceptible to stage or "section" construction. Each completed section will be a valuable and usable link to the present road system. The most logical breakdown by sections would be as follows:

From—	To—	Miles
Section I: Mena, Ark.	Wilhelmina Hotel.....	13.5
Section II: Wilhelmina Hotel (includes proposed relocation entering 103)	Oklahoma Highway 103.....	20.0
Section III: Oklahoma Highway 103.....	U S. 271.....	21.8
Section III-A: Point 24, lookout tower.....	Skyline to Winding Stair.....	1.0
Section III-B: Point 25.....	Skyline to Holson Valley Rd., improve Tram Ridge Rd.	4.0
Total approximate mileage.....		60.3

LOCATION AND EVALUATION CRITERIA

This outstanding scenic route will incorporate the following basic elements:

1. Location will follow ridgetops as closely as possible to take advantage of scenic attractions. No competition from commercial traffic is expected since this drive is paralleled by valley routes on the north and south.

2. Proximity and access to well-designed vistas and parking facilities for observation of panoramic views or other areas of special interest will receive careful consideration in determining final road location.

3. Development of attractive vistas, picnic areas, and campgrounds at convenient intervals will be planned.

4. Provided for improvement of intersecting access routes connecting the Skyline Drive with other recreational attractions on the forest.

5. Proposed location will intersect U.S. 59 and 71 and Arkansas 8 and 88 at Mena, Ark., 272 at Wilhelmina State Park, Oklahoma 103 between Rich Mountain and Winding Stair Mountain, and U.S. 271 on the western end. In addition U.S. 270 parallels the route on the north and Arkansas 88 and Oklahoma 63 parallel it on the south.

6. Provide safe travel at a reasonable rate of speed. Fall colors and spring flowers can be expected to attract several times the normal number of visitors.

7. Provide clean, natural looking roadsides with only approved cautionary, directional, and informational signs.

8. Protection and preservation of areas and structures having geological or historical significance will be considered in determining road location.

Recreational developments will be guided by the following:

1. Developed recreation sites should be screened from the scenic drive whenever possible. Although desirable when feasible, this will not apply to most vistas.

2. Developments will be restricted to types and designs which will enhance the value of the route for recreation. Vistas with parking facilities will be emphasized.

3. Campgrounds suitable also for picnicking will be located, whenever possible, in areas readily accessible from intersecting highways as well as the Skyline Drive.

4. Facilities and services at Queen Wilhelmina State Park will be considered in planning needs for visitor information services. The need for a Forest Service Visitor Information Center in the vicinity of the intersection of the scenic drive with Oklahoma 103 will be studied.

5. Lodging facilities, gasoline sales, and similar public needs can probably be served adequately by private businesses in adjacent towns and along trunk routes readily accessible to the scenic drive.

6. Studies will be made of all areas having special historical, geological, or other public interest features. Such areas will be appropriately identified and developed with parking and other facilities as conditions warrant.

7. Adequate lands or right-of-way will be acquired along the entire length of the drive to protect esthetic values involved and to provide needed areas for recreational developments. This will require considerable acquisition in view of the large number of individual landowners involved.

DETAILED DESCRIPTION OF ROUTE

Section I, 13.3 miles.—Begins at Mena, Ark., and extends to Wilhelmina Hotel at Wilhelmina State Park. Reference to mileage indicates miles from downtown Mena on existing road.

Mile 0.0, Mena, Ark. (point 1) is situated in the heart of one of the most scenic and picturesque sections of the forest. Leaving the outskirts of this attractive vacation city, the proposed route ascends the eastern slopes of Rich Mountain, climbing nearly 1,000 feet in the first 4 miles. En route, one views Ward Lake to the south which forms Mena's water supply. To the north and east the Ouachita Valley checkerboarded with farms and woodlots, unfolds as the drive continues. At mile 2.6 the road crosses the boundary of the Ouachita National Forest. The area south and west of the existing road at point 2 can be developed into a convenient overlook, provided the new road is located below the ridge.

Mile 3.4 (point 3): A small developed overlook with picnic tables and parking is a popular point from which visitors can view the Ouachita Valley more than 1,000 feet below. From this point a 2-mile scenic trail can be constructed along

the contour to bluffy outcroppings of Middle Mountains visible in the distance.

Mile 3.8 (point 4) : Acorn Vista offers a spectacular view of the Ouachita Valley from 2,200-foot elevation. The town of Acorn can be seen at the intersection of U.S. Highways 270 and 71. Blackfork Mountain, Wolf Pinnacle, and Blue Mountain rise in the distance. This vista will require considerable improvement to provide space for parking and viewing.

Mile 6.4 (point 5) : Eagleton Vista will be improved to provide parking facilities. Overlooks the village of Eagleton on the Ouachita River at the foot of Blackfork Mountain.

Mile 6.8 (point 6) : Grandview Vista offers one of the most spectacular views to the south of the Little River watershed which is tributary to the Red River, the mountains of Oklahoma, and the distant "shady" country. Below is an excellent view of Lake Wilhelmina managed by the Arkansas Game and Fish Commission. Rich Mountain lookout tower and historic Queen Wilhelmina Hotel are visible to the west atop the ridge of Rich Mountain.

Mile 10.6 (point 7) : Rich Mountain lookout tower stands on the highest point on the drive, 2,681 feet, attracting thousands of visitors each year who stop to enjoy the distant views. Water, sanitary facilities, and picnicking add to this attraction. Necessary improvements will include expansion and rehabilitation of existing recreation facilities and construction of a lower observation platform on the existing lookout tower.

Mile 12.7 (point 8) : Intersect paved Arkansas Highway 272 which extends from the town of Rich Mountain on U.S. Highway 270 to Queen Wilhelmina State Park. From this point U.S. 270 is only 2 miles. The planned Skyline Drive will probably be located nearer the crest of the ridge intersection Arkansas 272 closer to the hotel. The present intersection is in the vicinity of a strip of vegetation extending east and west which is particularly well known for the unusual variety of species growing together. This band of vegetation extends on west of the State park. At the most appropriate point a nature trail should be installed to provide access to this attraction.

Mile 13.3 (point 9), Wilhelmina Hotel : This historic attraction dates back to the gay nineties and is presently being restored by the State of Arkansas. Restaurant facilities are available. Lodging facilities will soon be completed. Plans for furnishing public information services will be coordinated with the State's program at this park.

Section II, 19.3 miles.—Beginning at Wilhelmina State Park and extending to Oklahoma State 103. Mileage reference indicates miles along existing road and trail west of Wilhelmina State Park. Only about four miles of this section are presently being maintained to a passable standard. Proposed location at west end of this section would add approximately three-fourths mile to this section.

Mile 1.0 (point 10) : Leave west boundary of Queen Wilhelmina State Park.

Mile 3.3 (point 11) : Leave FR 514 at benchmark 1932 feet on Dim Woods Road to north. Existing road is passable only in 4-wheel-drive jeep. Old rock fences and remains of house places are constant evidence of the pioneer inhabitants who settled on top of the mountain. FR 154 continues west and then south, providing a very scenic drive down the south side of Rich Mountain, intersecting Arkansas Highway 8, 13 miles west of Mena.

Mile 5.1 (point 12) : Cross the Arkansas-Oklahoma State line. This is also the eastern boundary of the Choctaw Game Management Area. About 100 feet north of the ridgetop a heavy iron milepost has stood since 1877 marking the boundary between Arkansas and the Choctaw Indian Nation. This mile post is marked "48 mi" which is the distance from the northeast corner of the nation. Parking area, trail, signs, and other necessary improvements will be installed at this historic point.

Mile 6.5-7.0 (point 13) : Many old rock walls, chimneys, and fields indicate several relatively large farms. Historic values will be preserved. Area is suitable for a 20- to 30-acre campground. A nature trail can also be provided for access to the rich variety of plant and tree species found within the narrow band on the north slope.

Mile 8.0 : Location poster T.3 N., R. 27 E., sec. 32, N. 75 W. 80.

Mile 8.8 (point 14) : Potential overlook commanding an inspiring view to the northwest of the Page area. Parking and viewing area needed.

Mile 10.5 (point 15) : Small flat on north side of ridge will be developed for parking and picnicking. An excellent scenic view of the northwest adds to the area.

Mile 11.4 (point 16) : One of the highest sections of the Oklahoma portion of the drive. Parking will be developed so persons can stop to enjoy the inspiring view. The low windswept trees dwarfed by the elements add special interest. A trail will be developed leading from the parking area and following the narrow ridge above the proposed location of the road. From this trail one will have the feeling of literally walking on top of the world. Views on all sides are magnificent.

Mile 13.2 (point 17) : Potential overlook development will provide an excellent view to the south of Kiamichi Mountains and River.

Mile 14.8 (point 18) : Broad flat area just east of FAA station will be reserved for future campground or other public development. This is adjacent to the highest point on the Oklahoma portion of the Skyline Drive, 2,660 feet. This is only 21 feet short of the high point at Rich Mountain. From the FAA station existing single track road is passable in a conventional automobile.

Mile 16.3 (point 19) : This will make a good potential overlook provided the drive follows the same general location. Proposed Skyline Drive will leave present road location at approximately this point extending north around the end of Rich Mountain and finally intersecting Oklahoma 103 near Pipe Springs. This will add approximately three-quarter mile to mileage shown at point 21.

Just northeast of Coon Mountain adjacent to the proposed road location (point 20), a large flat will be studied for a possible impoundment and recreation area. Such an area will conveniently serve both visitors to the Skyline Drive and persons traveling Oklahoma 103.

Mile 19.3 (point 21) : Existing single track road intersects Oklahoma 103, *Section III, 21.8 miles.*—From Oklahoma State Highway 103 to U.S. Highway 271 near Talihina, Okla. (Reference to mileage indicates miles west of Oklahoma 103.) The route follows the meanders of the crest of Winding Stair Mountain which divides the Arkansas and Red River drainages, and generally coincides with the existing Forest Service Road O-5.

Mile 0.0 (point 22), State Route 103 and RF-O-5 : The State highway department maintains a vista on the north brink of Winding Stair Mountain overlooking Shawnee Creek watershed and the Shawnee Ridges. (According to officials of the Oklahoma Historical Society, this use of "Shawnee" is the only indication that the Shawnee Indian Tribe may have occupied the rugged countryside of the western Ouachita Mountains.) The view beyond the Shawnee Ridges includes Blue Mountain, Walker Mountain, Holson Valley, and the spreading valley of the Poteau River descending northerly to the Arkansas River. Highway 103 and U.S. 270-59 north provide access to Cedar Lake Recreation Area (12 miles), Lake Wister State Park (24 miles), Heavener (17 miles), Poteau (31 miles) and numerous connecting highways. Route 103 also provides convenient access to Skyline Drive from the plains areas of southeast Oklahoma, southwest Arkansas, and east Texas. At Poteau and Heavener, restaurants, hotels, and motels are available for the tourists. Wister State Park has rental cottages, restaurants, and facilities for fishing, boating, and water skiing. Cedar Lake provides camp and picnic sites and facilities for swimming and fishing.

Mile 0.6 (point 23), proposed Shawnee Vista : The proposed relocation of FR-O-5 at this point offers a more favorable location for the existing Shawnee Vista.

Mile 2.1 (point 24) : Forest Service Road O-5A to the south climbs from 1,960 feet to 2,451 feet in 1 mile to Winding Stair Lookout Tower. This road will be improved. The tower site will also be improved to provide adequate parking and sanitary facilities for visitors. On clear days, one may see the distant rugged peaks of the Ozark Mountains northeast of Fort Smith, Ark., from this tower.

Mile 3.7 (point 25) : Tram Ridge Road FR-O-18 leaves Skyline Drive to the north. Access is provided via this road to Cedar Lake Recreation Area (5½ miles). This road will be programed for improvement to Holson Valley Road along with the construction of Skyline Drive.

Mile 5.4 (point 26) : Horsethief Springs is a small developed picnic site with tables and sanitary facilities. A foot trail through the hardwood timber on the adjacent north slope will add to the attraction of this site. Records indicate that the spring was used during pioneer days as an overnight campsite for horse thieves driving their stolen prizes from Missouri to prospective buyers in Texas.

Mile 10.1 (point 27) : Billy Creek Road FR-O-22 intersects from the south providing access to Kiamichi Valley and Oklahoma Highway 63 (7½ miles) and Billy Creek Recreation Area (6½ miles). Billy Creek Recreation Area offers picnicking, camping, and swimming on a pleasant forest stream.

Mile 10.2 (point 28) : Lenox Vista offers a panoramic view to the south of Kiamichi River and Kiamichi Mountain. Parking facilities will be improved.

Mile 11.6 (point 29) : A potential overlook at this location will offer a view of beautiful Holson Valley with its patchwork of small farms surrounded by symmetrical Blue Mountain in the background. Construction of parking area and clearing of the adjacent slope will be necessary.

Mile 13.5 (point 30) : Potential overlook to the north offers the viewer another perspective of Holson Valley and Blue Mountain. Lake Wister can be seen in the distance.

Mile 15.0 (point 31) : North Deadman Road FR-O-101 leaves the mountain top near the location where local legend recalls the finding of a body of a nameless traveler. One mile north this road crosses a "rock slide" of boulders covering several acres similar to the numerous "slides" one sees on distant mountains. This jumble of boulders is said to be the result of centuries of natural erosion forces which over the centuries has removed the soil and mineral material from around the underlying rocks. Holson Valley Roads is intersected 3 miles north.

Mile 15.9 (point 32) : South Deadman Road FR-O-102 leads to the south for 5 miles to its intersection with Oklahoma State Highway 63 in Kiamichi Valley. It also provides access to Camp Tom Hale on Lake Bohannon used by the Boy Scout troops of the Choctaw Council for summer season encampments.

Mile 16.4 (point 33) : Sycamore Lookout Tower provides an unobstructed view of the timbered ridges and mountains of neighboring Pushmataha, Lattimore, and McCurtain Counties. Beyond the town of Talihina are the gravelly Potato Hills which stand as indicators of the older geologic formations west of the Ouachita Mountains. In the distance to the north are Cavanal, Poteau, and Sugarloaf Mountains. Parking and sanitary facilities are needed.

Mile 18.1 (point 34) : Bear Den "Cave," although quite popular, seems to be little more than a crevice or fault in the sandstone rocks extending several hundred feet into the mountain. The geologic significance will be investigated. An attractive flat area above the "cave" is suitable for development for picnicking and viewing the scenery.

Mile 19.7 (point 35) : Potential overlook to the north will require parking and viewing improvements.

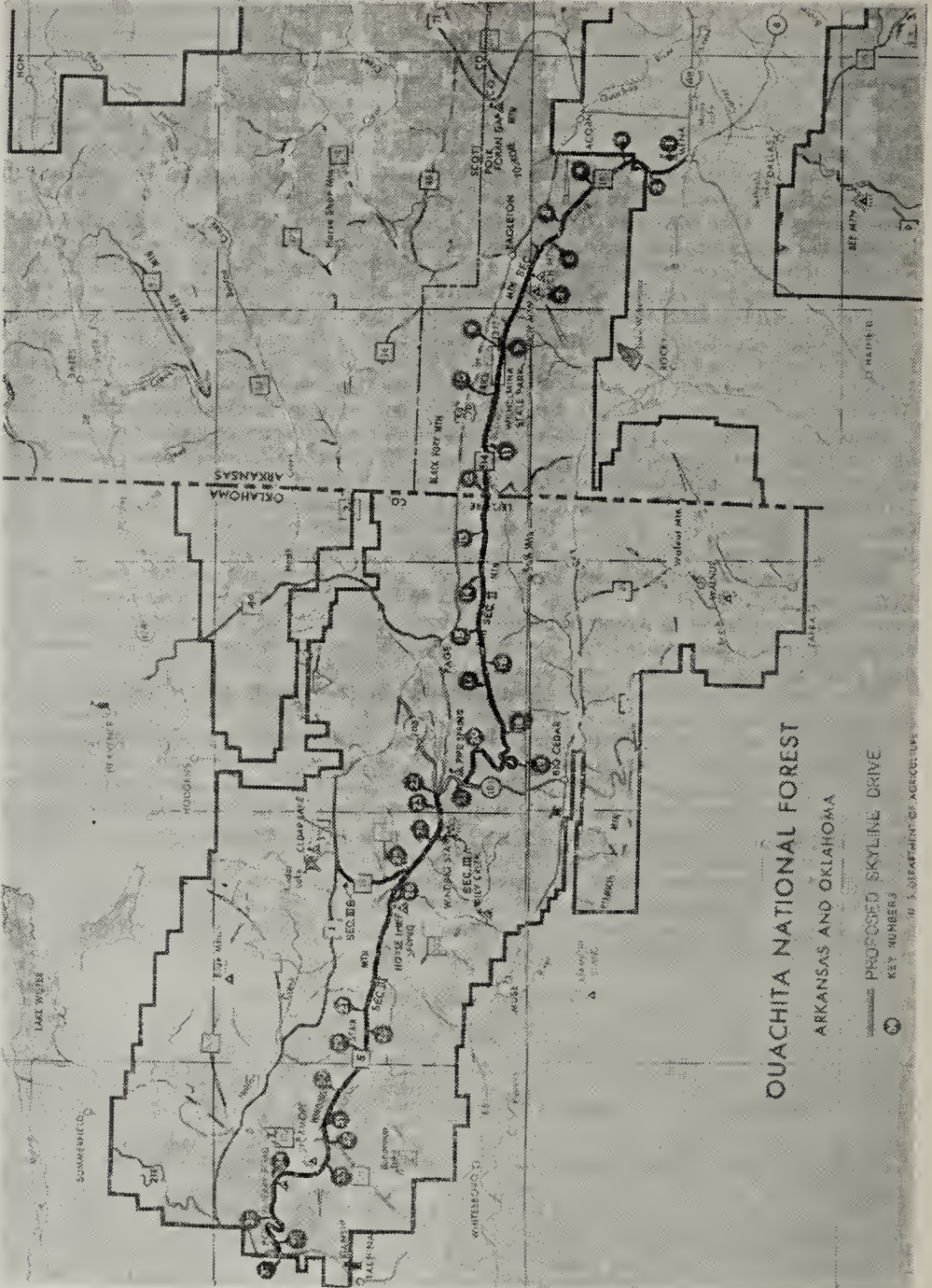
Mile 21.0 (point 36) : Military Road is one of the most interesting historical points on the route. The Oklahoma Historical Society has erected an informational bronze plaque giving a brief description of the pioneer road crossing at this point on Winding Stair Mountain. Existing facilities include a small campground with sanitary facilities. The area can be expanded to include additional facilities and parking areas as needed.

Mile 21.8 (point 37) : U.S. Highway 271 is the western terminus of the Skyline Drive. It intersects U.S. Highways 270-59, 16 miles north. Talihina is 7 miles south. Excellent vistas are situated on U.S. Highway 271 within a mile north and south of the Skyline Drive intersection.

Cost estimates

[Thousands of dollars]

Section	Miles	Land acquisition	Preliminary engineering	Construction	Adjunctive recreation	Contingent	Total
I.....	13.5	44	100	1,551	180	377	2,252
II.....	20.0	100	150	1,910	150	462	2,772
III.....	21.8	100	150	2,209	200	532	3,191
IIIA.....	1.0	5	8	138	10	32	193
IIIB.....	4.0	20	20	460	40	108	648
Total.....	60.3	269	428	6,268	580	1,511	9,056



Senator McNAMARA. Thank you, Congressman Harris.

Senator Kerr.

Senator KERR. Mr. Chairman, at this point I would like to put into the record a letter from the director of the Oklahoma Department of Highways, which sets forth the same commitment from the Oklahoma Highway Department with reference to surveys, designs, and supervision of construction, and then agreement to maintain the road if and as it is completed.

Senator McNAMARA. Without objection, that will be made a part of the record at this point.

(The letter referred to follows:)

STATE OF OKLAHOMA,
DEPARTMENT OF HIGHWAYS,
Oklahoma City, Okla., August 7, 1962.

HON. ROBERT S. KERR,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KERR: This is in reference to our recent discussions concerning the Skyline Drive in the Ouachita National Forest, extending from near Mena, Ark., to 7 miles northeast of Talihina, Okla.

I wish to advise that the Oklahoma State Highway Commission, at its regular meeting on August 6, 1962, authorized the department to proceed as necessary with the surveys and designs of the above-mentioned route in order to expedite its final construction. The Oklahoma State Highway Department will furnish construction plans at its own cost to specifications which are acceptable to any Federal agency responsible for seeing that design standards are met. Preliminary surveys will begin immediately.

We here in Oklahoma are most desirous to show any necessary cooperation and wish to see the road constructed as soon as possible. That is the reason we, as a highway department, are willing to furnish the above-mentioned plans, supervise construction if necessary and agreeable, and then properly maintain the road as it is completed and available to become a part of the State highway system.

Sincerely,

F. D. LYONS, *Director.*

Senator KERR. I want to thank the Congressman for his very fine statement. He has been very close to this matter, working on it for many years, and I would remind him and our own great chairman that this particular provision in the Highway Act, public lands section, was put in here in 1950 or 1951 as the result of an amendment by the distinguished senior Senator from Arkansas, Mr. McClellan, and the Senator from Oklahoma who now sits on this committee, and, while we were perfectly aware of the fact that there were areas in New Mexico and many other States that could qualify under it, our purpose in putting this amendment into the law was to make it possible for roads to be built in this Ouachita National Forest, and some have been, but the project which has been described to the committee by the director of highways from Oklahoma yesterday and the Congressman from Arkansas today was the basis of the beginning of our effort 11 years ago. So we have been working for it a long time, Mr. Chairman.

Senator McNAMARA. Thanks very much, Senator.

Senator METCALF. Mr. Chairman—

Senator McNAMARA. Senator Randolph? Senator Randolph apparently yields to the Senator from Montana.

Senator RANDOLPH. I will certainly yield to the Senator from Montana.

Senator METCALF. I thank the Senator from West Virginia.

All I want to say, as a recent Member of the House and one of the newest members of this committee, I certainly welcome the fine testimony that Congressman Harris has given, he being the chairman of a great committee over there. He helped me when I first came to Congress 10 years ago, and I know his devotion to recreation, forest roads and development, which has been very important to my part in the United States. And I welcome your testimony and presence here.

Representative HARRIS. I thank the Senator very much.

We regretted to lose his very fine services and personality in the House of Representatives, but we, of course, send our best wishes with him and his continued efforts to serve in this great institution of the United States.

Let me extend a personal invitation to you and other Members to come to Hot Springs, Ark., and use the beautiful Ouachita National Forest and go atop of Rich Mountain into Oklahoma, and I know what will happen in connection with this problem.

Senator McNAMARA. Senator Randolph?

Senator RANDOLPH. Mr. Chairman, I embrace the opportunity to speak of my pleasure for many years in having been a colleague of the very able Representative from Arkansas. I state for the record that Arkansas and West Virginia have been in a unique position. We have been the only two States of the Union to lose population between 1950 and 1960, approximately 7½ percent in both States.

I mention this only to indicate that we are fully aware in both States that tourism is an industry which must be developed with transportation, and so, such a project as the able Representative from Arkansas advocates today is important to the area which he mentions. Likewise, in West Virginia, we have need for these facilities.

We are fully cognizant of the need for improved and additional roads in our State.

Representative HARRIS. Let me say I sat with the distinguished gentleman from West Virginia when he was chairman of the District Committee of the House, and I had the privilege of serving with him. I am glad to be here with him today, and thank you for your courtesies.

Senator McNAMARA. Are there any further questions or comments? Thank you.

Representative HARRIS. Thank you very much.

Senator McNAMARA. We were glad to have had you here. We will insert in the record at this point a statement by Senator Fulbright. (The statement referred to is as follows:)

STATEMENT BY HON. J. W. FULBRIGHT, A U.S. SENATOR FROM THE
STATE OF ARKANSAS

Mr. Chairman, I appreciate being given this opportunity to discuss the amendment proposed by Senator Kerr to aid in construction of scenic roads through national forests. This amendment is of special significance to my State because it promises to solve a long-standing problem of constructing a highway that will open up the most scenic areas of the western part of the Ouachita National Forest.

We constantly hear of the growing pressures on the recreational resources of our national forests and parks. The dramatic increase in interest in camping and outdoor recreation in general is only an indication of the future demands that will be made on our national forests and parks. Much remains to be done to insure that the full recreational potential of Government lands is developed for public use. The amendment proposed by Senator Kerr will go a long way

toward opening up many of the underdeveloped areas in national forests for public purposes.

There has been considerable interest for a number of years in developing the western area of the Ouachita National Forest. This is one of the most scenic areas in the Nation. The Forest Service has made a study of the feasibility of constructing a skyline drive along the crests of the Ouachita Mountains in eastern Oklahoma and western Arkansas. This study describes the many benefits that will be derived from construction of this proposed route. The narrow access road now in existence through this area draws thousands of visitors. Widespread interest in this region prompted the State of Arkansas to develop a State park on the top of Rich Mountain near Mena, Ark. The historic Wilhelmina Hotel is being restored as a part of the park development and it will undoubtedly be a prime attraction for visitors touring the proposed skyline drive. The entire area to be covered by the drive is unusually beautiful. The project will also boost the economies of local communities through increased tourist business.

Several meetings have already been held on ways and means to construct the proposed skyline drive through the Ouachita National Forest. Agreement has been reached that the States of Oklahoma and Arkansas will bear the cost of design, survey, and supervision of construction with Federal support, and that they will maintain the completed drive. Land acquisition will be paid for out of Federal construction funds. The States of Oklahoma and Arkansas will add the portions of the skyline drive within their respective States to their State highway systems.

Passage of the amendment proposed by the Senator from Oklahoma will open up our national forests to greater recreational use. There is an intangible quality about wilderness areas such as those within the Ouachita National Forest that restores man's faith in nature. We need to make these areas more accessible to the general public. A drive through this forest would be much more satisfying to a troubled person than a session on a psychiatrist's couch. The growing pressures of our civilization make peace and quiet a much sought after, and increasingly rare, state of mind. It is certainly in the public interest for the Federal Government to help make this state of mind more readily attainable by improving access to our beautiful national forests.

I hope that Senator Kerr's amendment will be approved by the committee so that the full Senate will have an opportunity to vote on the proposal.

STATEMENT OF HON. FRANK CHURCH, A U.S. SENATOR FROM THE STATE OF IDAHO

Senator CHURCH. Mr. Chairman, I have two brief statements to make this morning. I hope that the committee will not think that the brevity of the statements bears any relationship to the importance and deep gravity of the subject, for the matter of access roads, as your distinguished chairman of this committee knows, is a matter of great importance to all of the Western States. I think it might be a saving of time of the committee, since the statements are brief, if I were just to read them into the record.

Senator McNAMARA. You may proceed in your own manner, Senator.

Senator CHURCH. I am appearing before you today to urge favorable consideration of an increase in the forest development road authorization. In our recent meeting with the President on this subject, it was my understanding that the administration would request a total authorization of \$60 million for fiscal year 1963.

I strongly urge that this action receive the full endorsement of this committee. My reasons can be stated very simply. I represent one of the leading lumber-producing States in the country. Timber is one of the mainstays of Idaho's economy and will continue to play a leading role in the State's economy of the future. Nearly 70 percent of the timber-producing land of my State is in the national forest.

I am deeply concerned and disturbed at the depressed condition of our lumber industry. Its effect is being felt in my State as well as

elsewhere; mills are closing down, people are out of work, dependent enterprises and services are suffering.

Because the industry depends on national forests for much of its timber, it needs all the help it can get to improve its competitive position in the marketplace, particularly with respect, Mr. Chairman, to the increasing imports of Canadian timber.

One obvious answer is to make it possible for the national forest to sell more timber. In fiscal year 1962, for example, important timber-producing forests of northern Idaho had an allowable cut of 935 million board-feet. They sold 772 million board-feet, and even this rate cannot be maintained with the existing road system.

The 10-year program for the national forest called for constructing 8,334 miles of multiple-use roads in Idaho, and additional funds are essential if this schedule is to be met. More importantly, they are needed immediately to enable the Forest Service to make more timber readily available to an ailing lumber industry as soon as possible.

The second statement, Mr. Chairman, takes the form of a letter that eight of my colleagues join with me in presenting to the committee, all of them from Western States, where the lumber problem is one of priority concern. The letter is addressed to the chairman, Senator Chavez, and reads as follows:

DEAR MR. CHAIRMAN: Over the past several months there has been considerable concern about the inroads which Canadian lumber has made upon the U.S. market. Their gains have been substantial and the causes are manifold.

This has been the subject of extensive hearings, both in the field and in Washington, D.C., by the Senate Committee on Commerce. In addition, on July 26, a number of us, along with our colleagues from the House, met with President Kennedy for an extended discussion.

The hearings have established conclusively that one of the key sides to this many-sided problem is the demand and supply of national forest timber. This timber is in heavy demand and the supply is limited. The result is extensive competitive bidding beyond the level that should be expected, thus forcing up raw material costs for our producers.

A major need is to increase the allowable cuts to the optimum level permitted by sustained yield principles. This cannot be done without adequate timber access roads constructed in advance of needs.

No key element of the national forest program is lagging more than access roads construction. We recognize and appreciate that this committee along with the House committee have exerted a high degree of leadership in attaining the gains that have been made.

There is a clear and impelling need to raise the authorization for road construction to as near the level outlined by the program for the national forests as can be done. Every cent that is invested in these roads not only comes back to the Treasury but also aids our Nation's economy. When the costs facing Canadian lumber producers are compared with those which ours face, it is evident that we are suffering substantial economic losses by delay in realizing the goal of the national forest road program.

This is the essence of the case that was presented to President Kennedy. In his response, the second point he made was that he would submit "a request to the Congress for additional funds for a forest development roads and trails program to assure the prompt harvest of national forest timber."

The suggestion made to the President was that an additional \$10 million be authorized for fiscal year 1963 and that further additional funds be authorized for construction during the biennium 1964-65 by changing the language in 23 U.S.C. 205 for this item from "construction and maintenance" to "construction and improvement." The result of the language change would be to make this authorization a capital investment, transferring to the regular budget, as a line item, the recurring annual cost for road maintenance which now is taken from the authorization.

We urge the adoption of these amendments in H.R. 12135 with confidence that your review of the national forest program will fully establish the impelling necessity that this be done.

Mr. Chairman, the original of this letter is now in the process of being signed. As soon as it is signed, I would like permission to include it in the record along with my testimony.

Senator McNAMARA. Thank you, Senator Church. The letter will be made part of the record when you bring it, with the signatures of your colleagues. Thank you very much.

(The letter referred to follows:)

U.S. SENATE,
Washington, D.C., August 8, 1962.

HON. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Over the past several months there has been considerable concern about the inroads which Canadian lumber has made upon the U.S. market. Their gains have been substantial and the causes are manifold.

This has been the subject of extensive hearings, both in the field and in Washington, D.C., by the Senate Committee on Commerce. In addition, on July 26, a number of us along with our colleagues from the House, met with President Kennedy for an extended discussion.

The hearings have established conclusively that one of the key sides to this many-sided problem is the demand and supply of national forest timbers. This timber is in heavy demand and the supply is limited. The result is extensive competitive bidding beyond the level that should be expected, thus forcing up raw material costs for our producers.

A major need is to increase the allowable cuts to the optimum level permitted by sustained yield principles. This cannot be done without adequate timber access roads constructed in advance of needs.

No key element of the national forest program is lagging more than access roads construction. We recognize and appreciate that this committee along with the House committee have exerted a high degree of leadership in attaining the gains that have been made.

There is a clear and impelling need to raise the authorization for road construction to as near the level outlined by the program for the national forests as can be done. Every cent that is invested in these roads not only comes back to the Treasury but also aids our Nation's economy. When the costs facing Canadian lumber producers are compared with those which our face, it is evident that we are suffering substantial economic losses by delay in realizing the goal of the national forest road program.

This is the essence of the case that was presented to President Kennedy. In his response, the second point he made was that he would submit "a request to the Congress for additional funds for a forest development roads and trails program to assure the prompt harvest of national forest timber."

The suggestion made to the President was that an additional \$10 million be authorized for fiscal year 1963 and that further additional funds be authorized for construction during the biennium 1964-65 by changing the language in 23 U.S.C. 205 for this item from "construction and maintenance" to "construction and improvement." The result of the language change would be to make this authorization a capital investment, transferring to the regular budget, as a line item, the recurring annual cost for road maintenance which now is taken from the authorization.

We urge the adoption of these amendments in H.R. 12135 with confidence that your review of the national forest program will fully establish the impelling necessity that this be done.

Sincerely,

WAYNE MORSE.
MAURINE NEUBERGER.
FRANK CHURCH.
CLAIR ENGLE.
HENRY M. JACKSON.
WARREN G. MAGNUSON.
LEE METCALF.
MIKE MANSFIELD.

Senator McNAMARA. Thank you very much. We appreciate your brevity because we have a long list of witnesses today.

Senator KERR. I would like to ask the Senator one question.

Senator McNAMARA. Senator Kerr.

Senator KERR. Has the Budget Bureau made any report on these figures, Senator Church?

Senator CHURCH. I, personally, do not know the answer to that question, Senator. I do know that the figures have the approval of the President. Whether or not the Budget Bureau itself has made report, I cannot say.

Senator KERR. You do not know whether the Budget Bureau is aware of it or not?

Senator CHURCH. No. If not, they soon will be I am sure.

Senator McNAMARA. Are there any further questions or comments?

Thanks again, Senator Church. We are very glad to have had you here before the committee.

Senator Holland, we are very happy to hear from you at this point.

STATEMENT OF HON. SPESSARD LINDSEY HOLLAND, A U.S. SENATOR FROM THE STATE OF FLORIDA

Senator HOLLAND. Thank you, Senator.

Members of the committee, I appreciate the opportunity to be heard briefly relative to S. 2529 and similar bills to provide for the completion of the construction of the Inter-American Highway.

I see present the distinguished Senator from New Mexico who has had long and intimate connection with this program and who is responsible for much of its progress and success up to this time. I have been privileged to be associated with him and with other Senators in the furtherance of this project since shortly after I came to the Senate in 1946. I remember handling, as chairman of the subcommittee, the authorization project for what was then thought and testified by the Bureau of Public Roads as being the authorization of all of the expenditures that would be needed to complete this project. It proved that that authorization was not adequate. The amount proposed was not adequate to complete the project, and S. 2529 was offered by me on September 11, 1961, in support of the recommendations of the Bureau of Public Roads made to me covering what they thought would be adequate now to complete the project through the small nations from the Mexico-Guatemala border to Panama City of this very much needed project.

The nations involved are, of course, Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, and Panama.

In December 1960 I made my second trip as a representative of the Appropriations Committee, this time over that project and traversed practically all of the mileage then completed. I traversed all of the mileage then completed except the portion between Managua and San José, which I had traversed on a former inspection trip, and I traversed all of the mileage except two little bits, as follows: one from the Selegua Canyon, which I understand is 12 or 18 miles to the Mexican border, and the other in lower Costa Rica from San Isidro to Palmar

Sur, the place where the United Fruit Co. has its large plant, down toward the Panama border.

The rest of the mileage in the whole program below Mexico I have thus traversed.

I came back from that trip feeling that we are not only dilly-dallying with the completion project, but that we were doing so to our own contribution in the ultimate cost, and to our own very great loss of goodwill insofar as the six nations with whom we were and are cooperating are concerned, because there is no question about it, this project has not been pushed in the traditional American method or manner and has been allowed to fall far behind schedule in such a way as to, I think, diminish the amounts of goodwill to which we would have been entitled if we had done the project speedily and to the diminishing of the ultimate goodwill that we will receive, and to expand the cost sizably beyond what they would have been if we had proceeded diligently to its conclusion.

After I came back I made a report to the Senate on February 9, 1961, as will appear in the Congressional Record of that date. I conferred on several occasions with the Bureau of Public Roads to know what was the amount that would be expected, and they told me that they had made recommendations to the Budget Bureau, and I waited months and months, thinking that surely we would have a project come from the Budget Bureau with its blessing for early handling.

In September, when it was evident that there was no such project to be forthcoming in 1961, I filed a bill, S. 2529, on September 11, 1961, with the hope that it might spur earlier action and that we might, at least, have a report from the various Federal agencies before we came back this year.

The way that delay adds to the cost is well shown, not only by the fact that now, in September 1961, the Bureau of Public Roads estimated that \$28 million more was needed than was needed at the time of the earlier authorization, but now the measure that comes down is a \$4 million greater than that, or \$32 million.

The fact is that the countries involved have various ideas. They are entitled to have them, as to the adding of other projects of the Inter-American Highway System as, for instance, a road from San Salvador to Tegucigalpa on a more direct route than that now available, and other additions to the system.

They are also recommending that we take a larger part in the maintenance of the system than I think is justified or that we had assumed since we, in the beginning, had not assumed any maintenance, any portion of the maintenance. We had done some of what was maintenance by way of reconstruction which was largely the result of the delay in completing the project, and I must say that some of the reconstruction was necessitated by the poor construction which had taken place on certain portions of the project.

You will find those aspects of the matter covered in my statement of last February 1961, and I ask that that statement be incorporated from the Congressional Record of that date into this hearing record for the information of all who may be concerned.

Senator McNAMARA. Without objection, it will be included in the record at this point.

(The information referred to follows:)

[From the Congressional Record, Feb. 9, 1961]

INTER-AMERICAN HIGHWAY

Mr. HOLLAND. Mr. President, as in legislative session, under authority granted me by the distinguished chairman of the Appropriations Committee of the Senate, the Senator from Arizona [Mr. Hayden], I made a field trip over the entire Inter-American Highway starting in Guatemala on December 10, 1960, and ending in Panama on December 20. Our party included George T. Moore, Assistant Secretary for Administration, Department of Commerce; Oscar H. Nielson, Director, Budget and Management, Department of Commerce; and Bureau of Public Roads representatives B. D. Tallamy, Administrator, Frank C. Turner, Deputy Commissioner and Chief Engineer, and A. F. Ghiglione, Deputy Assistant Commissioner for Operations. Our party was joined during the trip by Ralph P. Agnew, regional engineer for the Inter-American Highway. This detailed report of the highway conditions and country developments summarizes our observations during the field trip.

I must observe, in the beginning, that our party was greeted with great hospitality and was rendered every possible assistance by the chief diplomatic representatives of our Nation, their families and staffs, in all of the six friendly nations which we visited. These included the following: in Guatemala, Ambassador Muccio; in El Salvador, Ambassador Kalijarvi; in Honduras, Ambassador Burrows; in Nicaragua, Ambassador Whelan; in Costa Rica, Chargé d'Affaires Kimmel; in Panama, Ambassador Farland.

GUATEMALA

We arrived in Guatemala City on December 10. On December 11, in company with Col. Jose Luis Cruz Salazar, Minister of Public Works, we flew to Huehuetenango, in northern Guatemala, and drove from there through the Tapon section of the Inter-American Highway toward the Mexican border. This section of highway is the most difficult on the entire Inter-American Highway and has been subject to many enormous slides and washouts through the Selegua River Canyon. The highway is now open to through travel; however, it is extremely difficult to traverse in several places because of the temporary detours over the slide sections and around the large washouts. This country is geologically new and very active with sliding hillsides and changing river courses evident throughout the area. It will be many years before the highway is completely stabilized here and free from major postconstruction work. The bridges throughout this section are either completed or under construction and it is estimated that all permanent bridges will be completed by the end of the current dry season in May of 1961.

We returned by car to Huehuetenango where we were entertained at luncheon by Colonel Salazar, after which we returned to Guatemala City by plane.

The section of highway between the Tapon and Guatemala City, which we observed closely from the air, is passable during all weather conditions, and is now under contract for further improvement. By the end of this dry season an asphalt surfacing will be completed through from Guatemala City to San Cristobal thus providing paved connection to the second largest city of Guatemala, Quezaltenango. The section from San Cristobal to the Tapon is a difficult mountainous section on which some slides have been experienced and heavy maintenance will be required though not on the scale of that required in the Tapon Gorge. The present contract will reestablish the line and provide an all-weather gravel surface throughout.

On December 12 our party left Guatemala City for El Salvador by car, traveling over 46 miles of paved highway and 57 miles of gravel all-weather road to the border. All bridges on this section are either complete or nearing completion and they will be finished by the end of the 1961 dry season. The unpaved section between Barbarena and Asuncion Mita will not be paved under existing appropriations. This gravel section is heavily traveled and hard to maintain with a smooth surface. It is extremely dusty and should be paved as soon as funds are available.

EL SALVADOR

We drove the entire highway section in El Salvador, spending the night in the capital, San Salvador. Most of the highway in El Salvador was constructed without U.S. assistance many years ago with the result that it is of lesser stand-

ard and heavily congested throughout. We visited with the highway officials of El Salvador who stated that they are desirous of realining the highway through their country and anxious to obtain U.S. assistance for this work. They listed three particular improvements considered necessary which are being studied by the Bureau of Public Roads; namely, a short bypass for the city of Santa Ana, a lengthy bypass for the city of San Salvador, and an alternate line leading toward Tegucigalpa, the capital of Honduras. While the Bureau is studying these alternate lines in cooperation with the El Salvadorean officials, it was understood that no aid of our country was available on these relocations, other than the short Santa Ana bypass, without additional authorization and appropriation by this Congress. Furthermore, I feel that any consideration by our country of participating in such additional work should be postponed until such time as the remainder of the Inter-American Highway throughout Central America has been financed to a paved standard. I advised the El Salvadorean officials that such would be my recommendation.

El Salvador has made good progress in developing her highway network with numerous feeder roads and farm-type roads leading from the Inter-American Highway. A new littoral highway paralleling the Inter-American, being constructed with World Bank loan funds, is now nearing completion along the Pacific coast.

The entire 191 miles of Inter-American Highway through El Salvador is paved. It is mostly of low standard with many curves. The heavy congestion of trucks, buses, and livestock results in slow travel and points up the need for improvement.

As part of the inter-American program in El Salvador, a 5-mile paved spur road has been built to serve the Pacific coast seaport of La Union. This is the principal seaport serving Honduras and generates much truck traffic.

HONDURAS

On December 13 our party drove from San Salvador to Tegucigalpa arriving at the border between El Salvador and Honduras just before 12 o'clock where the difficulties on crossing borders were brought to sharp focus. Having arrived at the border at noon, the customs station officials were in the process of locking up for the siesta which is observed between 12 and 2 o'clock. During this time all travel across the border is stopped. Only through the help of local officials was the party able to have the offices reopened to permit passage though almost 1 hour's time was consumed in the process. The average traveler, unfamiliar with the language and customs, would have a difficult and frustrating time in such a situation. While waiting for clearance, the party observed a large truckload of flour being unloaded onto the pavement sack by sack. We were advised that this was normal procedure for customs inspection and that most trucks had to be unloaded piece by piece before they could be passed. The obvious cost and delay caused by such unrealistic procedures diminishes the intended use and benefit of the Inter-American Highway. Similar difficulties prevail in varying degrees at all border crossings on the Inter-American Highway. This is a most serious problem that should be solved by the Central American countries. Simplification of these border crossing procedures might be required by us as part of their cooperative effort.

The Inter-American Highway does not pass through Tegucigalpa, the capital of Honduras. Tegucigalpa is reached by a 70-mile branch road which is being rebuilt to a good standard and paved with asphalt under a loan from the International Bank for Reconstruction and Development. The 94-mile Inter-American Highway through Honduras is being paved under a present contract which calls for completion of all work by the end of the dry season in 1961. That is this summer.

Our group spent the night in Tegucigalpa. Besides our Ambassador, Hon. Charles R. Burrows, we met with the Minister of Communications and Public Works, Juan Milla Bermudez, the Vice President of Congress, Lic. Miguel Alfonso Cubero de Costa, and other ranking officials. These officials were quite interested in securing U.S. assistance to construct an alternate route for the Inter-American Highway which would pass through the capital city, Tegucigalpa. The proposed location would require additional new alinement in both El Salvador and Nicaragua and would parallel the present road through traversing much more difficult mountainous terrain. This would be a large undertaking and, in my judgment, cannot be considered under present agreements and authorizations. We advised our Honduran friends to consider this alternate alinement as a separate highway route rather than to attempt to include or justify it as part of the Inter-American Highway.

NICARAGUA

On December 14, our party drove from Tegucigalpa through to Managua, Nicaragua, a distance of 279 miles. We were met at the Nicaraguan border by the Minister of Public Works, Enrico Sanchez, who remained with us the rest of the day. In Nicaragua, the highway will be completely paved by the end of the 1961 dry season when the present contract for the 49-mile section between Condega and Sebaco is scheduled to be finished.

In Managua, we discussed both the Inter-American Highway and the Rama Road construction with Ambassador Whelan and Minister Sanchez. The economic development of Nicaragua as a result of both of these highways is clearly evident and is appreciated by the national officials. This appreciation of the value of the investment in highways has resulted in excellent maintenance and improvement by the Nicaraguan Highway Department.

On December 15, the party drove from Managua to the end of construction on the Rama Road, a distance of 160 miles reaching to within 20 miles of Rama. That is a road which reaches across Nicaragua, from connections with the Pacific Ocean to connections with the Atlantic Ocean or the Caribbean Sea. The road is being constructed under our commitment to an all-weather gravel surface with 100 percent U.S. funds and is in excellent condition. Funds now available will permit construction through to navigable water on the Siquia River with the exception of a few minor bridges. This highway traverses the eastern rain forest area of Nicaragua, an area that until the road was built had been inaccessible. The evident settlement, land clearing, farming, and development that has kept pace with the construction of this road was most gratifying and it was pointed to with pride by the Vice Minister of Public Works and Chief Engineer of the Department of Highways, Manuel Amaya Leclair, who accompanied our party. The clearing and settlement has followed highway construction so closely that in many places little evidence of the dense tropical jungle remains visible to the traveler.

Near the end of construction, the party was invited to the home of Mr. and Mrs. Nossman for lunch. Mr. Nossman is the American Bureau of Public Roads engineer in charge of the contract work on the Rama Road. Their home in the jungle was simple and comfortable and a delightful time was spent there. It was interesting to see how well these people had adjusted to the privations, isolation, and dangers of jungle living. However, it was also brought out that few American engineers will accept such work when no special inducements in the way of pay bonus or privileges can be offered under the civil service system. I was advised that Mr. Nossman receives the same benefits an engineer in the United States receives for similar work and that the Bureau of Public Roads is hard pressed to obtain and keep qualified men in such positions which are truly hardship posts.

The Nicaraguan Government is maintaining the Rama Road in excellent condition and with its own funds is gradually improving the heavily traveled sections with an asphalt surface. Twenty-eight miles have so far been paved with Nicaraguan funds.

COSTA RICA

Since I had, in an earlier visit, traveled the section of the highway between Managua, Nicaragua, and San Jose, Costa Rica, and since that section of 283 miles is now completely paved, I did not consider it necessary to drive over that mileage and our party flew to San Jose on the night of December 15. In San Jose, a meeting was held with the Minister of Public Works, Espiritu Salas, the Chief Engineer of the Carretera Interamericana, Jorge Carballo, Mr. Moya, Director of Highways, and our Chargé d'Affaires, Mr. Kimmel. The work remaining to be completed in Costa Rica was discussed and the need for additional funds to provide heavier pavement over all sections was cited by the Costa Rican officials. Costa Rica is improving sections of the Inter-American Highway near San Jose, particularly the section serving the El Coco Airport which is being improved to a four-lane divided standard with the help of Export-Import Bank funds. These officials also discussed the serious problem being faced in providing adequate maintenance throughout the Inter-American Highway in Costa Rica. This same situation was discussed in the other countries and is one of the most important problems now becoming evident under the increased use of the highway. The authorization for our participating in construction of the Inter-American Highway required agreements from each of the cooperating countries providing for adequate maintenance at the expense of

the local Central American nation. These friendly nations are having varying degrees of difficulty in meeting this obligation and some are seeking further assistance. This subject is discussed further at the end of this report.

On December 16, the party drove from San Jose to San Isidro in southern Costa Rica traversing the highest point of the highway at an altitude of over 11,000 feet. The highway is paved from San Jose to Cartago, but is all-weather gravel, with some substandard sections, between Cartago and San Isidro. This section of highway is indescribably beautiful, extending through dense tropical rain forests across the Continental Divide. Insufficient effort is being made by Costa Rica to preserve the beautiful forests along the highway though this would be one of the outstanding attractions to the traveling tourists. Some protection should be provided, at least in a substantial belt on both sides of the highway, by adequate restrictions and reservations.

From San Isidro, our party flew in a chartered plane over the section of highway to Palmar Sur since several bridges are under construction and through travel by car is not possible. The highway through this beautiful valley section is practically complete to an all-weather gravel standard and much settlement is taking place. The lower portion of this section traverses the Terriba River Canyon and the party traveled by car back from Palmar Sur in order to view some of the difficult construction. Large slides are being experienced in this canyon section and will require heavy maintenance for a good many years. The party also traveled by car south of Palmar Sur finding the highway in good condition with an all-weather gravel surface, though again several bridges are under construction, and at this time the small streams must be forded. Between San Isidro and the Panama border, 39 bridges remain to be constructed. Contract has been awarded for this work and the party visited several of the bridge sites where construction is already underway. The party had lunch at the United Fruit Co. base at Palmar Sur and observed the remaining highway between Palmar Sur and the Panama border from a U.S. Army plane furnished through the courtesy of the Inter-American Geological Survey. This section of highway traverses heavy tropical rain forests at low elevation and will furnish the traveler with his first view of dense, humid jungle growth. Portions of the highway pass alongside of and through the United Fruit Co. banana plantations which will be of considerable interest to tourists.

PANAMA

The party arrived, by IGS plane, at David, Panama, in the late afternoon of December 16. We traveled at once, by car, north to the Costa Rican border covering the recently completed permanent bridges and paving work underway between David and Concepcion. From Concepcion to the border the highway is completed to an all-weather gravel surface and is maintained in excellent condition. The concrete pavement being provided here and elsewhere in Panama is being financed under a special agreement with Panama under which Panama absorbs all costs in excess of the equivalent asphalt-type surfacing provided elsewhere on the Inter-American Highway. Panama claims that this additional cost will be offset by savings in maintenance in future years. However, the financing of this work to the higher standard has resulted in slowing down the Inter-American Highway work through Panama because of difficulties in matching available U.S. funds for remaining sections.

During the evening, our group discussed with Mr. Rodolfo de Obarrio, assistant chief engineer, Carretera Interamericana, who entertained us at dinner, the overall problems of construction and maintenance in Panama, together with the general economic advancement resulting from use of the highway. The agricultural potential of western Panama is becoming realized and the access provided by the Inter-American Highway is enhancing the entire Panamanian economy. The night was spent in David.

On December 17, the party drove from David to Panama City, a distance of 271 miles. The section of highway from David to Puerto Escondido, 19 miles, is completely paved with concrete. The section from Puerto Escondido to Guabala, 37 miles, is being graded and will be completed to an all-weather gravel surface under current contract. Through this section many detours are taken over the old National Highway which is of very low standard. From Guabala to Santiago the National Highway must be traversed since the Inter-American Highway will not be completed under existing funds. The National Highway is gravel surfaced and of very low standard. Though it is supposed to be an all-

weather surface, it was explained that during the past rainy season sections were actually impassable. The Panama Minister of Public Works agreed in meetings with the Bureau of Public Roads 2 years ago that this section of highway would be improved and paved with Panama funds and would serve as part of the Inter-American Highway until new funds were appropriated for Panama. Panama agreed to do this work in order that funds allocated for construction of the Inter-American Highway bypass of the Guabala/Santiago section could be utilized for additional concrete paving in the vicinity of David.

Near Santiago, our party was met by Senor Don Tomas Guardia, chief engineer of the Carretera Interamericana, who took us to meet President Roberto F. Chiari, Minister of Public Works Pablo Bares, and other dignitaries who were visiting Santiago that day. The short discussion with the President and Minister was most cordial and a subsequent meeting was arranged with Minister Bares in Panama City.

The highway from Santiago to Panama City is completed with concrete surface throughout and affords excellent traveling conditions. The party stopped for lunch at the small village of Santa Clara where we were the guests of Senor Don Tomas Guardia.

In Panama City, meetings were held with Ambassador Farland to discuss the Inter-American Highway problems in Panama. Of particular concern to the Ambassador are the large claims pending from contractors on the highway. These claims, aggregating close to \$2 million, have resulted from disputes as to interpretation of specifications by the Carretera Interamericana. All work in Panama is done by the Carretera Interamericana, with the Bureau of Public Roads approving the reimbursement when this work is completed to design standards. This will amount to two-thirds of the cost to which we are committed under this entire program. These claims, therefore, are disputes between the contractor and the Government of Panama, though any costs resulting from settlement in favor of the contractors will require heavy U.S. participation. Since the contractors on this work are mostly American contractors, the Ambassador was quite concerned to assure more expeditious handling of the disputes. In subsequent discussions with the Minister of Public Works, the party was assured that steps are being taken toward adjudication of these claims.

In the meeting with Minister Bares, which was also attended by Don Tomas Guardia and Rodolfo de Obarrio, our observations made while traveling the Panama highway were discussed and the Minister was pressed for early funding of the work remaining to be done.

One day in Panama was devoted to a briefing by the Panama Canal Company officials and an inspection of the Panama Canal high-level bridge construction project. Construction of this bridge which will be the final link of the Inter-American Highway, over which it will reach Panama City, is proceeding rapidly toward a target completion date of September 1962. The estimated cost of the project is approximately \$20 million. At my request a detailed progress report was made by E. L. Erickson, chief of the bridge division of the Bureau of Public Roads, under date of January 6, 1961, a copy of which has been filed with the Appropriations Committee of the Senate.

GENERAL OBSERVATIONS

The following observations are generally applicable throughout the Inter-American Highway and cover situations and conditions which must receive attention before the full value of the investment in the Inter-American Highway will be realized.

First. I refer to a recent report prepared by the International Road Federation under date of June 1960, which contains a physical inventory, a discussion of construction and maintenance requirements, and makes a proposal for the creation of an Inter-American Highway Authority in Central America and Panama. The factual observations of this report fairly well coincide with our observations. However, the recommendations of the International Road Federation for creating and funding the maintenance and highway authority which would involve U.S. participation will require further consideration by Congress and also by the other nations affected.

Second. Maintenance problems. The maintenance observed along the Inter-American Highway varied from very good to very poor. It is evident that the lack of proper maintenance has permitted pavements to deteriorate, drainage to become clogged, and slides to remain, in addition to resulting in very poor travel

conditions. The agreements developed with each country before construction was initiated on the Inter-American Highway clearly provide that each country, at its own expense, will properly maintain the highway. However, the heavy costs involved in this maintenance appear to have exceeded the expectations of these countries, and they are now finding it difficult to finance the work.

A clear division between construction costs and maintenance costs has not been developed, and as a result considerable postconstruction work has been picked up as construction cost with the cooperative funds, rather than carried as maintenance as is normally done in our country. The sound method of construction through the pumice-type country, whereby stage construction is followed, has resulted in extending the period of construction over many years. Steep slopes have been permitted to remain on original construction with full recognition that some will slide but most will remain steep resulting in great overall savings. However, the removal of those slides that do occur has finally been recognized as a construction cost rather than maintenance and has contributed to the great overruns of construction estimates. Even though these postconstruction costs are now accepted by the Bureau of Public Roads and by the General Accounting Office as a part of the cooperative expense of constructing the highway, the maintenance hereafter must be more adequately assured. The International Road Federation report proposes an authority-type control of maintenance throughout the highway and some such control to assure uniformity may be desirable.

Third. Accommodations and services: Adequate accommodations along the highway are scarce though within the capitals and major cities very good hotel and restaurant services are available. The motel-type accommodations are expected to develop as travel increases over the highway; however, some coordination of this development appears desirable. At present, the traveler is faced with very poor sanitary conditions and relatively dangerous situations if he stops for food or accommodation other than in the large cities. These conditions must be improved before the average tourist will be able to enjoy the full benefit of traveling through beautiful Central America.

Fourth. Developments along the Inter-American Highway: As planned in the original authorization for this highway, the economic value to the countries traversed is becoming apparent. Each of the countries has continued to build its highway systems utilizing the Inter-American as the main artery. Feeder roads and branching development road systems are in evidence, and parallel major highways are now being constructed in several of the countries. Guatemala has nearly completed the Pacific Highway, which parallels the Inter-American Highway, and has constructed with Bank funds a highway through to the Caribbean coast. El Salvador is just completing the littoral highway which parallels the Inter-American along the Pacific coast, and is doing considerable work on feeder roads toward Guatemala and Nicaragua. Honduras is completing the reconstruction and paving of the branch road to serve the capital of Tegucigalpa, utilizing World Bank funds, and is developing roads into northern Honduras to serve the Caribbean seaboard. Nicaragua is using her own money to improve the Rama Road and is carrying on a healthy construction and maintenance program throughout the country. Costa Rica has borrowed money from the Export-Import Bank to develop a four-lane divided highway to the El Coco Airport. Panama is just initiating a sizable penetration road program to develop her north coast areas.

All of these road systems generating from the Inter-American Highway are bringing new industry to these countries. New coffee plantations and large areas of cotton, palm oil, and other crops are in evidence, and great developments in cattle ranching have resulted. All of this industrial development points up the great value already received from the Inter-American Highway and further emphasizes the need for completion of the highway as soon as possible.

SPECIFIC RECOMMENDATIONS

First. After traveling all of the Inter-American Highway now open to public use, we were impressed above every other consideration with the great need for finishing this highway and making it available at the earliest possible date to convenient travel by tourists, truckers, buses, and for the further development of these Latin American countries. It is quite evident that additional funds are required for completing the Inter-American Highway, and regardless of the reasons for exceeding present authorizations the value of this investment is unquestionably great and cannot be completely realized until the job is done.

Therefore, I recommend that the Bureau of Public Roads be instructed to make an early estimate and report the amount needed to carry out to completion the original program.

While these additional funds are needed to some extent throughout the six countries that are covered in this field trip, a general priority for completion should be established, in my opinion, in the following order:

First priority. The Tapon section in Guatemala adjacent to the Mexican border must be finished and maintained open to year-round traffic before any other construction work is undertaken with the new funds. This extremely difficult section has, in truth, been the Tapon or "stopper"—which is what Tapon means—of the entire highway. The frequent slides and difficult canyon section subject to river scour during the rainy season have resulted in this section of highway being closed at least several months out of each year since it was originally constructed. Traffic has frequently had to take a long circuitous route via the Mexican railroad to a connection with the Pacific Coast Highway in Guatemala. As a result, dependable schedules for trucks and buses have not been possible, and tourist travel has been discouraged. The Tapon section, a deep gorge of the Selegua River through very rugged mountains will be one of the most spectacular sections on this highway and in itself will constitute a great tourist attraction. The countries south of Guatemala continually point to the uncertainty of travel through the Tapon section as a deterrent to through traffic over the highway and, in effect, a failure on our part to provide them with the potential full benefits of the highway.

Second priority. Of next importance must be the paving with asphalt of those sections of the highway which are now all-weather gravel. These gravel sections, while passable at all times, are disagreeable to tourists and other travelers because of the great dust problem and wear and tear on tires, windshields, and automobiles in general.

Third priority. The section of highway in Panama between Guabala and Santiago has not been completed under present authorized funds, since this section is served by a detour on a national highway, though this detour route is of low standard and mostly of dirt and gravel surface. The Inter-American Highway location will be 62 miles in length, some 15 miles shorter than the present detour, and because of the much better standard will provide a saving of approximately 1 hour in travel time. In addition, this section of the Inter-American Highway will open up considerable new and potentially valuable land to development. Panama advises that she now has the funds available for her share of this construction cost; and since approximately half of the construction has been completed on this route, it is very important that the remainder be opened up in order that through traffic may be served.

Fourth priority. In recent years, because of the shortage of funds, the asphalt pavement placed on some of the newer sections of the Inter-American Highway has been a light penetration-type treatment which is not a permanent pavement. Some of these sections have already shown weakness; and since maintenance throughout much of the Inter-American Highway is not adequate. It is quite evident that before long many of these paved sections will be in poor condition. The original authorization contemplated an asphalt mat-type surface, and such surfacing should be provided when additional funds are made available.

Second. Each of the Latin American countries desires work on the Inter-American Highway in addition to that listed above and in addition to that which will be covered by the completion of the original project. Such work

includes the realignment of substandard sections, the relocation of the highway to serve new areas, and other improvements not included in the original authorization. I recommend that our participation in this additional work be not seriously considered until the above priority work has been completed. Further, none of this work was anticipated under the original authorization, therefore, it should be carefully scrutinized before any U.S. responsibility is accepted by enacting further authorizations. These sections of additional work are for the most part worthy projects, though they are not always recognizable as part of the Inter-American Highway.

Third. One of the most serious deterrents to free use of the Inter-American Highway is the difficult border crossing procedures encountered by all travelers. These procedures are so slow, cumbersome, and exasperating that some improvement is absolutely necessary, and I recommend that such should be required by the United States before additional funds are made available for this work. Delays of from 2 to 4 hours at each border are generally experienced by the tourists, and trucking across the borders is discouraged by unreasonable customs inspections requiring complete off-loading of trucks in many cases. Our party, traveling with high officials of each nation, should have experienced the last inconvenience at the country borders. However, such was not always the case, and aggravating delays did occur. It was very easy to realize and appreciate how the unescorted tourist would be treated.

Fourth. Deterioration of sections of the Inter-American Highway that are now receiving heavy truck travel is being accelerated because of the uncontrolled truck loads and truck speeds. Progress is being made in some countries in effecting legislation to impose weight and speed restrictions; however, so far there is no effective control of this important traffic. I join the International Road Federation in its recommendation that a single, overall authority be created to be responsible for such control, which appears to be the logical approach to assuring protection of the Inter-American Highway.

Fifth. There is almost a complete lack of adequate signs along the highway. The tourist is confronted with finding his way through villages, and cities with little or no help in the way of highway information. Similarly, there is no central point to which the tourist may refer for information farther ahead along the highway. Rumors as to conditions in the next country are generally pessimistic; and, indeed, the present-day tourist must have a pioneer spirit—as many have shown—to forge ahead. Again I join in the International Road Federation report, which I feel is sound, in recommending that responsibility for these important services be placed under a single, overall authority.

Sixth. The rapid development and settlement of the countryside as the Inter-American Highway has progressed are indeed gratifying; however, they are resulting in complete removal of the natural beauty of some of the areas traversed in each country. The highway dips into deep jungle growth and climbs into mountainous rain forests which would be of great interest to all travelers. Some steps should be taken by these countries to conserve, by wider rights-of-way or by forest reserves, areas that offer such valuable attraction to the traveler.

Mr. President, in order to present in one place a general picture of the condition of the Inter-American Highway, I have secured from the Bureau of Public Roads a detailed compilation, dated January 1, 1961, and entitled "Condition of the Inter-American Highway," covering its entire length through Mexico—where we did not go, this time—and the six nations visited in my recent trip. I now ask to have the compilation incorporated in the Record as part of my remarks.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

Condition of the Inter-American Highway, Jan. 1, 1961

	Miles	Condition
Mexico:		
Laredo, Mexico City.....	761	Paved.
Mexico City-Las Casas.....	721	Do.
Las Casas-Comitan.....	60	Paved, poor.
Comitan-Guatemala border.....	45	Paved.
Total, Mexico.....	1,587	
Guatemala:		
Mexican border-Selegua Canyon.....	18	All-weather.
Through Selegua Canyon.....	7	All-weather, narrow, subject to slides.
Selegua Canyon-San Cristobal.....	73	All-weather.
San Cristobal-Patzicia.....	75	Being paved.
Patzicia-Guatemala City.....	37	Paved.
Guatemala City-Barberena.....	34	Do.
Barberena-Asuncion Mita.....	57	All-weather.
Asuncion Mita-El Salvador border.....	12	Paved, poor condition.
Total, Guatemala.....	313	
El Salvador:		
Guatemala border-San Salvador.....	61	Paved.
San Salvador-Honduras border.....	130	Do.
Spur, Sirama Y-La Union.....	5	Do.
Total, El Salvador.....	196	
Honduras:		
El Salvador border-Jicaro Galan.....	25	Being paved.
Jicaro Galan-Nicaragua border.....	69	Do.
Total, Honduras.....	94	
Nicaragua:		
Honduras border-Condega.....	34	Paved.
Condega-Sebaco.....	49	Being paved.
Sebaco-Managua.....	64	Paved.
Managua-Rivas.....	69	Paved (27 miles, old, very poor condition).
Rivas-Costa Rica border.....	22	Being paved.
Total, Nicaragua.....	238	
Costa Rica:		
Nicaragua border-Barranca.....	122	Paved.
Barranca-San Ramon.....	23	Paved, very poor condition.
San Ramon, San Jose.....	47	Paved.
San Jose-Cartago.....	14	Do.
Cartago-San Isidro.....	71	All-weather.
San Isidro-Panama border.....	133	All-weather surface, bridges under construction.
Total, Costa Rica.....	410	
Panama:		
Costa Rica border-Concepcion.....	17	All-weather.
Concepcion-David.....	16	Being paved.
David-Puerto Escondido.....	19	Paved.
Puerto Escondido-Guabala.....	37	All-weather.
Guabala-Santiago.....	62	Under construction.
Santiago-Aguadulce.....	33	Paved.
Aguadulce-Penonome.....	28	Being paved.
Penonome-Panama City.....	92	Paved.
Total, Panama.....	304	
Grand total.....	3,142	

Mr. HOLLAND. Mr. President, I also ask to have incorporated in the Record, as part of my remarks, a brief summary of the condition of the Inter-American Highway as of January 1, 1961, as prepared by the Bureau of Public Roads.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Summary of condition of the Inter-American Highway

Country	Total	Paved	Being paved	All-weather gravel
Mexico.....	1,587	1,587		
Guatemala.....	313	83	75	155
El Salvador.....	196	196		
Honduras.....	94		94	
Nicaragua.....	238	167	71	
Costa Rica.....	410	206		¹ 204
Panama.....	304	144	44	² 116
Total.....	³ 3,142	2,383	284	475

¹ 133-mile section between San Isidro and Panama border opened to limited traffic only pending completion of 39 bridges now under construction.

² 62-mile section between Guabala and Santiago now under construction. Traffic uses all-weather alternate which is 15 miles longer.

³ The entire length of the Inter-American Highway, excepting the short section in southern Costa Rica, is now open to traffic at all times. This short section may be traveled during the dry season by fording streams over which bridges are now under construction.

Mr. HOLLAND. Mr. President, I also ask to have incorporated in the Record, in connection with my remarks, and as a part thereof, a short statement under date of January 1, 1961, entitled "Condition of the Rama Road," compiled at my request by the Bureau of Public Roads.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Condition of the Rama Road

	Condition	Miles between points	Miles from San Benito
San Benito.....		0	0
San Benito to end of pavement.....	Paved by Nicaragua.....	10	10
End of pavement to Lovago.....	All-weather gravel.....	68	78
Lovago to Villa Somoza.....	Paved by Nicaragua.....	18	96
Villa Somoza to Espabel.....	All-weather gravel.....	26	122
Espabel to Cedro Macho.....	Under construction; will be completed to all-weather gravel in 1961.	17	139
Cedro Macho to Rio Siquia.....	Let to contract December 1960.....	14	153
Rio Siquia to Rama.....	Awaits additional appropriation.....	5	158

NOTE.—The Rama Road begins at San Benito and extends to Rama, a distance of 158 miles.

Mr. HOLLAND. Mr. President, I feel that at this point I should state that we must never forget that a little more than half of the entire mileage of the Inter-American Highway—that from Laredo to Mexico City—passes through Mexico, and that Mexico has constructed, with her own funds and her own efforts, every mile of that highway, and all of it is paved.

In conclusion, Mr. President, I am happy to say that our party received, throughout its visit in Central America, from every country visited and from every official and private person with whom we came in contact, the most courteous, friendly, and generous treatment that could be described, for which all members of our party are sincerely grateful. The friendly welcome helped us greatly to obtain and bring back to the Senate what I believe is a clear picture of the portion of the Inter-American Highway which lies in Central America.

This is the second detailed inspection trip I have taken, as a representative of the Senate, over the Inter-American Highway mileage in Central America and over the Rama Road. I feel completely sure that the part which our country has played in each of these projects is of lasting value, both from a material viewpoint and as it relates to the furtherance of friendly relations and better understanding between the several cooperating nations and ourselves. The Inter-American Highway will be of lasting benefit to each nation, including our

country, which has participated in building it; and the Rama Road will be of lasting benefit to both Nicaragua and the United States.

As a result of the inspection trips mentioned, and of my attendance at two sessions of the Pan American Highway Congress, one at Mexico City and the other at Caracas, and as the further result of the large number of attendant contacts with very fine people representing the several cooperating nations, both in their countries and in the United States, I am definitely of the conclusion that there is no more worthwhile field for our rendering assistance where it is needed to our friendly Latin American neighbors than that of helping to provide better highways connecting ourselves with them and connecting each of them with its neighbors.

The engineers who plan and build roads and bridges speak a common language, even though they converse in different tongues; and the business and governmental people who are served by new highways likewise find common ground upon which all can cooperate to their mutual advantage. I doubt whether there is any other field as suitable as that of trunk-line highway construction for the cooperation of our Nation with its friendly neighbors throughout Latin America.

Mr. President, I yield the floor, and suggest the absence of a quorum.

Mr. MAGNUSON. Mr. President, first, will the Senator from Florida yield to me?

Mr. HOLLAND. Yes.

Mr. CLARK. Mr. President, if the Senator from Florida will yield the floor, I shall undertake to obtain a quorum after the Senator from Washington concludes his remarks.

Mr. HOLLAND. Very well.

Senator HOLLAND. It is my very definite feeling that we serve ourselves very greatly by an earlier or by an early completion of these projects.

In the dry weather now one may go, but at considerable expense of wear and tear of automobile, from lower Mexico, from the Mexican border to Panama. But the road is by no means, throughout its expanse, in the condition that we would want any project, in which we had participated on a two-thirds basis, to appear. It is not a credit—many portions of the present mileage—to our participation in the effort. It does not look like American construction, and my own feeling is, as I stated a while ago, and I hope the members of the committee will themselves gain this same feeling, that we have done this thing in a delayed fashion and in a partial construction manner, which has not been as credible as it would have been otherwise to our Nation.

Senator CHAVEZ. Senator, I know that American cars have gone from the United States clear to Panama City and have come from Panama City to the United States, but it is a job at times.

Senator HOLLAND. Certainly is.

Senator CHAVEZ. You take right now on the Guatemala-Mexican border, at a place called La Point, where they had a big slide and seven people lost their lives early last year at that place. They have about a 2,000-foot cut, and they cut it straight like that wall. It is disintegrated material. With a little rain, here comes the whole works down. It was construction, pure and simple, that did that, instead of putting it on a slope so it would not slide down.

And it is the same way from San José, in Costa Rica, to the Panamanian line. The road through Panama and Costa Rica is one of the hardest pieces of construction in the world. In that area it is a job, and it cannot be done unless done correctly, and that was the reason that I asked the Bureau what they thought about their figure of increasing it by \$4 million, in order to get it concluded.

We need authorization before we can appropriate some money.

The Ambassador from Guatemala was in my office the other day. They have their share of \$3 million, but we do not have the \$6 million that we are supposed to put up, and that was one of the reasons that we asked it, and they said they need it.

Mr. Whitton, testified yesterday that they need the \$32 million. I hate to go that far, but it is necessary to conclude that road.

Senator HOLLAND. I appreciate what the Senator from New Mexico has said.

May I add this: The Republic of Mexico has done a mighty good job in building some 1,600 miles of this highway that goes through Mexico without a penny's aid from us or anybody else, and much of their construction is excellent construction—I have been over much of it—and I think it is a sad commentary to run from some of that good construction into some of this, in these smaller nations, where we put up two-thirds of the cost and where, in many instances, we have handled even the contracting work.

The Senator from New Mexico mentioned this gap at El Tapon, which is a place in the Selegua Canyon that I mentioned a while ago. The geological structure of that country is very modern, very late, and in the heavy rainy seasons which come at the rainy part of the year there, there are great slides down from the mountains which rise abruptly on each side of the Selegua Canyon, and the engineers decided, and I think wisely, that rather than attempt to have cuts that went back at a gradual slope in mountains that high, it was better to know in advance that we were going to have to do some reconstruction where there would be slides, and I agree with them on that conclusion. I think that is the cheaper method.

But I still think that to have our people, as we found several carloads of American people making repairs through that very bad gap in the road, and wondering why they had ever undertaken the trip. I think it is bad for us, and I know it is bad for us in contrast with what has gone on elsewhere.

I close by simply saying this: I think that we were not wholly eleemosynary in undertaking this effort. I think it is important to us to have overland access to the Panama Canal. I think it is important for us to contribute to access, from one nation to another, of these small nations with an average population of between 1 and 2 million, and great expanses of difficult terrain to traverse to get this communication completed, and I hope that this committee will do the job to a finish at this time, by passing this authorization promptly.

The Senator from New Mexico is one of those who serves, not only on this authorizing committee, but also on the Appropriations Committee which has made money available, and I think he knows, as I do, there is no difficulty about moving ahead as quickly as the construction can be completed, if we once get this authorization passed.

And my own feeling is that we are operating in our own interest and the interest of our own people who, by hundreds of thousands, will take this means of seeing the Panama Canal, which is a source of pride to all Americans everywhere, if once we open it up, and the scenery is simply unsurpassable anywhere.

The Senator from New Mexico mentioned the high mountains. You cross the Continental Divide between San Jose and San Isidro, that is between 11,000 and 12,000 feet high, and up to very close to the

top you have tropical forests which simply defy description, covered with all kinds of exotic flowers and plants, and many varieties, for instance, of orchids and other similar exotics. You have volcanos that are partially active at all times. You have animal and bird and reptilian life which cannot be seen in our own country. You have a wonderful chance to observe our neighbors and to learn their ways, learn from them, and I think to communicate some information to them which helps bring us all closer together.

I am for this project, and I hope we may complete it as quickly as possible.

Senator McNAMARA. Senator Chavez?

Senator CHAVEZ. Not only that, Senator, but you take the experience of the last war when the Germans sent the submarines in the gulf almost up to New Orleans; it was this route that made it possible for us to get supplies to the Panama Canal.

Senator HOLLAND. It might be required for that purpose in the event of any war at this time, and, as the Senator knows, we had to have naval bases built in the Carribean and on the Pacific side. As a matter of fact, our undertaking the Rama Road construction, which I had not intended to mention, was a defense measure, pure and simple, and there is an item of defense and a very strong commercial necessity for the completion of this road, aside from completing international commitments.

We are talking about technical assistance, foreign aid, loans for foreign projects. There is not anything which means as much to these neighbors of ours as the completion of this highway, and it is shown every time you go down there by the new projects which have grown up along the highway which were not there before. There are dozens and dozens of new things completed simply because of their closeness to this highway.

Senator CHAVEZ. You take the Rama Road in Nicaragua: there used to be nothing between the Pacific side and the Atlantic. That road is practically completed. And you ought to see the cattle and the sheep, the trees and the farms, and homes, now between the Pacific side and the Atlantic.

Senator HOLLAND. Thank you.

Senator McNAMARA. Thank you, Senator.

The Federal Highway Administrator, Rex Whitton, appearing before this committee yesterday, said that he was recommending the \$32 million indicated, that it was predicated on being positive assurance of adequate maintenance. He recommended the \$32 million authorization for completion of the highway, but it should not be obligated until some adequate provisions for maintenance are achieved.

Do you agree with that?

Senator HOLLAND. I think that is sound.

We already have the assumption of maintenance by these nations. They have had to borrow some from the various lending institutions to maintain, but I think that our own commitment is completed when we have completed sound construction, and I say again that some of the links were not soundly constructed, and there is no better evidence than their present conditions.

There are other conditions which I think should be met and which are expressed in this discussion in the Senate in February 1961, which has been included in this comment already.

I think that the Bureau of Public Roads and the State Department have obligations in this matter, but, after all, we have an obligation and we have not fulfilled it. What makes me blush when I go down there is to have to admit to those people that we have not done this in the manner that is traditionally American.

Here during time of war we jumped in and built the Alcan Highway, and in a very few months, with just as rough terrain problem and long distances involved. We got it done because it had to be done. Here we have dallied along on this thing to where, frankly, I am not proud to go down there and see that we have taken since 1930 to get as far as we have now without completing our own part of the commitment. That is what I am talking about. I want us to complete it.

Senator McNAMARA. Senator Randolph.

Senator RANDOLPH. Mr. Chairman, the Senator from Florida presented testimony on the basis of firsthand knowledge. I would like the record to indicate that not once but many times during the period when Senator Gruening and I, on behalf of this committee, were going over the highway during the latter part of 1961 and the first part of 1962, we were apprised of the diligence and the cooperative attitude which the Senator from Florida manifested on more than one visit to that area. It was helpful to us who followed him to hear these words of merited approval of his contribution.

I want the record to reflect, also, that the work of the chairman of this committee, Senator Chavez, in particular, with reference to the Inter-American Highway, has been of the very highest order, and the measures which both he and the Senator from Florida advocate now are timely and have my endorsement.

Mr. Chairman, with your approval, I should ask that certain pertinent paragraphs of the letter of transmittal of our report; that is, the report of Senator Gruening and myself, be inserted in the record at this point.

Senator McNAMARA. Without objection, you may indicate the pertinent paragraphs and refer them to the reporter so that he can include them in the record at this point.

(The information referred to follows:)

We were very much impressed with the work that has been completed on the Inter-American Highway. One has only to observe the heavy cuts and fills on the completed sections, and the rough terrain through which many miles of the road passes, to realize the tremendous costs that are involved in construction of this highway, much of which is located in remote and isolated areas. There still remains considerable work to be done to complete the work proposed, in order that a paved highway of acceptable standards will be available from the Mexican-Guatemalan border to the Panama Canal.

In general, the highway embankment and roadbed for the highway are complete throughout its entire length, and most of the permanent bridges have been completed. Thus, the major remaining improvement necessary to complete the highway consists of paving the graveled sections, including resurfacing a few gaps where the original light surfacing has failed due to heavy traffic not anticipated at the time the surface was applied.

One cannot travel on the highway at any point without observing the tremendous economic, social, and cultural benefits that are resulting from completion of the various segments. Interest in its final completion at an early date was evidenced by the desires expressed in all the Republics as to when uninterrupted travel would be possible between those countries and the United States. In fact, a caravan of several hundred cars is now being organized in Panama

and other countries to bring delegates of many countries in Central and South America to attend the meeting of the Pan American Highway Congress in Washington, D.C., in May 1963.

Because of the interest expressed in completing the Darien Gap between Panama and Columbia, thus connecting the Inter-American Highway with the Pan American Highway system in South America, the delegation took particular cognizance of this section. We drove out this route beyond Chepo in Panama, thence by jeep over the completed trail out into the jungle beyond Chepo. We also flew by light planes farther over the area and observed the terrain and conditions which will be encountered in completing this section. This completion will open up a vast area in Panama and Colombia for development, and permit travel to our many sister Republics in South America.

In addition to the many benefits now accruing from the Inter-American Highway, we could envision many additional potential benefits that will be possible when the highway is completed. One of the major benefits will, doubtless, be recreation and tourism. The scenery, including mountains, lakes, volcanoes, and old cities, buildings, and ruins, is superlative. The highway will attract a large amount of capital for investment in gas stations, motels, hotels, and in development of tourist attractions. Many industrial and commercial developments cannot be supported at the present time by markets in a single republic, but will prove profitable upon completion of the highway which will permit interchange of commerce by highway transportation between the various countries.

The Inter-American Highway forms the backbone of the local highway systems in all the Republics. They are all making strides in development of feeder roads connecting with the Inter-American Highway, and in construction of other highways into remote and isolated areas, which open such areas for development and transportation of their products to market. This work is being done primarily with loan funds.

We believe that every effort should be made to complete the paving of the Inter-American Highway on its present location at an early date, and that adequate authorization should be provided to permit such completion during 1963. Reconstruction, improvements in grade and alinement, and proposed bypassing certain cities should only be considered after the present highway is completed, or carried out under the Alliance for Progress program. Prior to completion of the highway, the problem of maintenance of the completed work should be considered, in order to protect the large investment in the road, and permit its uninterrupted use and extend its life. The survey of the highway extension through the Darien should be pushed forward in order to provide complete information on that section, estimates of cost, and details on various construction features.

We believe that the Inter-American Highway is an outstanding example of successful international cooperation to further the progress and economic development of the countries concerned.

Senator JENNINGS RANDOLPH, *Chairman*.
Senator ERNEST GRUENING.

Senator HOLLAND. Mr. Chairman, I certainly want to express my appreciation for that very warm expression on the part of my friend from West Virginia.

May I add one more thought? As a part of my Senate responsibility in recent years I have been handling the appropriations for the Panama Canal. I think the Senators all know that the great bridge near the Pacific end of the canal is nearing completion. That great bridge is the final link of the Inter-American Highway by which travelers moving down that highway reach their destination, the city of Panama.

It looks like we are going to have that monumental bridge completed before people can travel this highway with any degree of ease and comfort, which we have been working on since 1930, and I think the record should show that. It is a magnificent bridge that is a credit to our own engineering and construction capacities. I would like to think that the road will very soon be a similar credit to our participation in this highway.

Senator McNAMARA. Thank you again, Senator.

Are there any further comments or questions? Thanks very much.

I would like to include in the record a statement by Senator Jacob K. Javits, and certain telegrams and letters referred to the committee commenting on the provisions of H.R. 12135, relating to relocation of tenants.

(The information referred to follows:)

STATEMENT OF SENATOR JACOB K. JAVITS

Mr. Chairman, I should like to support strongly the relocation assistance provision in the Federal-Aid Highway Act of 1962. I hope that the Congress at long last will correct the anomaly in existing law and take responsibility for those who are in effect "displaced persons" so that our interstate highway program may be carried on. The law now requires compensation only for owners of buildings affected, but not for moving expenses of tenants.

For many years, with my past and present Senate colleagues from New York State, I have sought to obtain fair compensation for the thousands of tenants, both individuals and business concerns, who are uprooted to make way for highways to which the Federal Government in such a large measure contributes.

Relocation assistance has been a part of the urban renewal program since 1956 and the reasons for it are equally compelling in the highway program. While highway projects are important and desirable, it is unfair to expect those displaced by them to carry the burden of their own relocation. It is equally illogical to force local governments to bear the entire cost of relocation when the other costs of our interstate program are divided between State and Federal budgets.

The late Senator Ives and I proposed legislation to remedy this wrong as early as 1956 and until 1960, the New York Senators were lone voices in a seemingly apathetic wilderness. By 1961, the measure had attracted additional cosponsorship and was recommended on the President's highway message; it passed the Senate but did not survive in conference. However, this year the House-passed bill contains a relocation provision as does the Senate bill, and I hope that the anomaly in the existing law will be eliminated during this Congress.

I would like to make one comment on the difference between the House and Senate provisions. Section 3 of H.R. 12135 stipulated that no displaced business concern shall receive more than \$3,000 in relocation assistance. Until the Housing Act of 1961, relocation assistance under the urban renewal program was similarly limited to \$3,000, but it was recognized that such a limit was unrealistic and inadequate and it was amended by the 1961 act to permit reimbursement for "the total certified actual moving expenses" if these exceed \$3,000. It seems to me unnecessary to repeat this exercise with the new highway provision. Clearly a business which is displaced for a highway should receive no less compensation than one that is demolished for an urban renewal project.

Accordingly, I would prefer section 3 of the Senate bill, S. 3136, which follows the urban renewal relocation provision.

SALEM, OREG., July 17, 1962.

HON. WAYNE MORSE,
U.S. Senator, Senate Office Building, Washington, D.C.:

Further reference is made to H.R. 12135, the proposed Federal-Aid Highway Act of 1962 (my letter of July 6, 1962).

If the language contained on page 3, lines 21 through 24, and on page 4, lines 1 through 4, could be amended (Baldwin amendment) as follows: "The Secretary, prior to his approval of any project under Act 106 of this title for right-of-way acquisition or actual construction, shall require the State highway department to give satisfactory assurance that relocation advisory assistance shall be provided for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway," the bill will be satisfactory to this department. Your assistance in securing this amendment is solicited.

FORREST COOPER,
State Highway Engineer.

SALEM, OREG., *July 27, 1962.*

Hon. MAURINE NEUBERGER,
U.S. Senator, Senate Office Building, Washington, D.C.:

We are very appreciative of efforts of our Oregon delegation in obtaining adoption of Baldwin amendment to H.R. 12135, section covering aid to persons displaced by highway improvements. Understand Senate public hearings are set for August 7 and 8. Would appreciate your continued interest in this matter and solicit your aid in retaining Baldwin amendment in final draft of bill.

FORREST COOPER,
State Highway Engineer.

HELENA, MONT., *July 17, 1962.*

Senator MIKE MANSFIELD,
U.S. Senate, Washington, D.C.:

In interest of expediting construction program we strongly urge deletion of section 3 of H.R. 12135 in its entirety. If section 3 not deleted we favor amendment requiring relocation advisory assistance only with further provision that other than trust funds provide required financing.

FRED QUINNEL, Jr.,
State Highway Engineer, Montana State Highway Department.

MADISON, WIS., *July 30, 1962.*

Senator ALEXANDER WILEY,
Senate Office Building, Washington, D.C.:

With Senate public hearings scheduled August 7 and 8 on bill H.R. 12135 highway commission favors section 3(b) of bill as amended in House rather than original administration-endorsed 3(b).

STATE HIGHWAY COMMISSION OF WISCONSIN,
 HARVEY GRASSE, *Chairman.*

AUGUSTA, MAINE, *July 26, 1962.*

Hon. MARGARET CHASE SMITH,
U.S. Senator, Senate Office Building, Washington, D.C.:

Reference H.R. 12135 as enacted by House, and specifically section 3, relocation assistance. Do not believe payments provided under section 3 are indicated in State of Maine as there has been no problem in matter of relocation of tenants and businesses in connection with highway program. If relocation assistance is to be retained in bill prefer section 3 as enacted by House rather than bill in form as reported out of House Public Works Committee. In other words, the so-called Baldwin amendment as included in final enactment by House preferable to original bill as approved by House Public Works Committee.

DAVID H. STEVENS,
Chairman, Maine State Highway Commission.

STATE OF NEW HAMPSHIRE,
 DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS,
Concord, July 27, 1962.

Senator NORRIS COTTON,
Senate Office Building, Washington, D.C.

DEAR NORRIS: It has just come to my attention that Senate public hearings on the highway bill, H.R. 12135, have been set for August 7 and 8 and that a strong effort will be made to restore the original language contained within section 3 of this bill. Section 3 of the bill pertains to relocation assistance for displaced persons in connection with the acquisition of rights-of-way for highway construction purposes.

The bill as now written appears to be satisfactory. I am informed that a change in this section may be proposed that would require the various State highway departments to certify that adequate, safe, decent, sanitary, convenient housing exists before highway construction projects can be approved.

The incorporation of language of this nature would in all probability require all the State highway departments to increase their personnel and establish a complete listing of all available properties within the State that are for sale and rate these properties as to their being adequate, safe, decent, sanitary, and convenient. Such action is entirely unnecessary, would add to the increased cost

of the program, and opens this phase of the work to a great controversy. This problem is one than can be better handled at the local level.

While we realize that people do not like to be displaced as a result of highway construction, we are able to work cooperatively with people who are being displaced, give them adequate time in which to adjust themselves and reasonable compensation for the acquisition of their properties.

It would be my hope that you would resist any effort to change the wording of section 3 in this bill.

With my kindest regards,

Sincerely,

JOHN O. MORTON, *Commissioner.*

STATE OF OREGON HIGHWAY DEPARTMENT,
Salem, July 2, 1962.

HON. WAYNE MORRIS,
U.S. Senator, Washington, D.C.
HON. MAURINE NEUBERGER,
U.S. Senator, Washington, D.C.
HON. WALTER NORBLAD,
U.S. Representative, Washington, D.C.
HON. AL ULLMAN,
U.S. Representative, Washington, D.C.
HON. EDITH GREEN,
U.S. Representative, Washington, D.C.
HON. EDWIN R. DURNO,
U.S. Representative, Washington, D.C.

LADIES AND GENTLEMEN: Reference is made to H.R. 12135, 2d session, 87th Congress, which was introduced by Congressman Fallon on June 14. This proposed legislation is very satisfactory to the Oregon State Highway Commission with the exception of paragraph (b), section 133.

We do not question the good intentions behind this proposed legislation, but as no provision is made in the law for establishing any feasible relocation method and because the Oregon State Highway Commission could not use State highway funds for such purposes, we think the procedure could cause a slow-down or actual stoppage of important Federal-aid highway work.

It is the experience of the Oregon State Highway Department that when reasonable time can be allowed during the acquisition stage of right-of-way that no problem exists in this State. It is true that occasional specific experiences of minor complaint can be found, but all in all, we do not consider the matter at all critical. Because no provision is made for accomplishing the mentioned purposes and because we can envision that confusion and delay are apt to result, the Oregon State Highway Commission solicits your assistance in attempting to have this portion of the bill deleted.

Very truly yours,

FORREST COOPER, *State Highway Engineer.*

STATE OF OREGON HIGHWAY DEPARTMENT,
Salem, July 6, 1962.

HON. WAYNE MORRIS,
U.S. Senator, Washington, D.C.
HON. MAURINE NEUBERGER,
U.S. Senator, Washington, D.C.
HON. WALTER NORBLAD,
U.S. Representative, Washington, D.C.
HON. AL ULLMAN,
U.S. Representative, Washington, D.C.
HON. EDITH GREEN,
U.S. Representative, Washington, D.C.
HON. EDWIN R. DURNO,
U.S. Representative, Washington, D.C.

LADIES AND GENTLEMEN: Senate bill 3117 and its companion house bill, H.R. 11165, provide for the coordination and development of effective Federal and State programs relating to outdoor recreation, and provide financial assistance to the States for outdoor recreation planning and for other purposes.

An analysis of these bills indicates that the State of Oregon could receive the following amounts over a 5-year period, if the State's recreation planning programs were large enough to qualify for the maximum allotments:

	1st year		2d year		3d year		4th year		5th year	
	Amount	Per-cent	Amount	Per-cent	Amount	Per-cent	Amount	Per-cent	Amount	Per-cent
Federal.....	\$96,363	75	\$96,363	50	\$96,363	35	\$96,363	35	\$96,363	35
State.....	32,121	25	96,363	50	178,960	65	178,960	65	178,960	65
Total.....	128,484	-----	192,726	-----	275,323	-----	275,323	-----	275,323	-----

Based on the experience of the State of Oregon—and Oregon has one of the outstanding State park systems in the Nation—the amount that could be available to carry out provisions of the bills is far more than is needed.

The State Parks Division of the Oregon State Highway Department has just completed a comprehensive study and report on the recreational needs of the State. Knowing the scope of our study, and its cost, we believe that only a portion of the proposed share for the States, as outlined in the bills, is needed for recreation planning and that the remainder could be used to a much greater advantage to provide assistance to the various States for park acquisition and development.

The tremendous increase in recreational interest has created a demand for recreational facilities beyond the ability of the States to provide. We believe that Federal financial assistance should be made available to aid the States in acquiring and developing areas for recreational use as well as for planning. Our needs in the field of acquisition and development far exceed our need for funds for planning. We solicit your consideration.

Very truly yours,

FORREST COOPER,
State Highway Engineer.

STATE OF OREGON HIGHWAY DEPARTMENT,
Salem, July 6, 1962.

Hon. WAYNE MORSE,
Hon. MAURINE NEUBERGER,
Hon. WALTER NORBLAD,
Hon. AL ULLMAN,
Hon. EDITH GREEN,
Hon. EDWIN R. DURNO,

LADIES AND GENTLEMEN: We note that the Federal-aid highway bill, H.R. 12135, under consideration by the Congress, contains the usual \$3 million for public lands highways. Because of the extent of the public domain in Oregon (approximately 25 percent of the State's area), this is a matter of extreme importance and interest to the Oregon State Highway Commission.

Each year, this department makes application for a portion of these moneys, but the last apportionment received was from the 1960 fiscal year authorization. This amounted to \$95,000. Subsequent applications for apportionment have been made from the 1961, the 1962, and the 1963 authorizations. The Secretary of Commerce, however, has not given any of these favorable consideration.

There are two routes in Oregon that traverse extensive areas in public domain. One is the Lakeview-Burns Highway in Lake and Harney Counties, and the other is the Crane-Scotts Butte Highway in Harney and Malheur Counties. Because of the extreme need for Federal aid funds, this department has been unable to devise any means of financing improvements on these routes. The only possible solution for correcting these critical deficiencies appears to be through the use of public lands highway funds.

There is attached hereto a copy of our letter of application to the Bureau of Public Roads for an apportionment from the proposed 1964 fiscal year authorization. Our application indicates the amounts that are necessary and the areas involved, and points out the critical need for improvement. It is hoped that by

your bringing this matter to the attention of the Department of Commerce in Washington something can be done to assist Oregon in overcoming these highway deficiencies. Any assistance that you can render will be sincerely appreciated.

Very truly yours,

FORREST COOPER,
State Highway Engineer.

STATE OF OREGON HIGHWAY DEPARTMENT,
Salem, July 5, 1962.

Mr. A. W. PARSONS,
*Division Engineer,
Bureau of Public Roads, Salem, Oreg.*

DEAR SIR: Application is hereby made for an allotment of Federal lands highway funds to be used in the improvement of two segments of the 90-mile section of U.S. 395, which lies between Riley (26 miles west of Burns) and Valley Falls (22 miles north of Lakeview) and a section of the Crane-Scotts Butte Highway, the same being on FAS Route 455.

You will perhaps recall that in 1960 and 1961, we made application for funds for the betterment of sections on these highways which did not receive favorable consideration. The need for improvement of these sections is becoming more and more critical. Following is outlined the basic information bearing on the application:

LAKEVIEW-BURNS HIGHWAY ROUTE 395

1. The existing facility is substandard as regards vertical alignment, roadbed width, and surface stability.

(a) Vertical alignment is rolling to extent that sight distance is impaired.

(b) Roadbed width is generally less than 24 feet.

(c) Surfacing consists of 2 to 4 inches of pit-run gravel with an oil treatment $\frac{5}{8}$ -inch to $\frac{3}{4}$ -inch thickness.

(d) Shoulders are generally less than 2 feet in width.

(e) 1960 average daily traffic was 200-plus with trucks comprising 10 to 20 percent depending on season of year.

(f) Maintenance costs are high, being an average of \$688 per mile for the years 1959 through 1961.

(g) Reduced load limits are necessarily imposed in early spring so that the road will not become impassable.

2. Tentative standards proposed for reconstruction of the sections are as follows:

Roadbed width: 32 feet.

Pavement width: 22 feet.

Shoulder width: 4 feet.

Base and pavement depth: 12 inches (pavement 2½-inch AC).

3. The sections of the Lakeview-Burns Highway which should have priority in improvement are two in number, viz: (a) Junction with Central Oregon Highway near Riley to a point 5.69 miles south thereof, and (b) a 12.5-mile section in the vicinity of Wagonfire between mile points 26.5 and 39.

4. Eligibility of the of the section for use of Federal lands highway funds is established by the following factual information:

(a) The section is on a main route, said main route being U.S. 395 extending from the Canadian border north of Spokane south to San Diego a few miles north of the Mexican border. It is also on the shortest route leading from a number of the larger places in southwestern Oregon and northern California to points in eastern Oregon, southern Idaho, Wyoming, and Montana.

(b) The section from Riley to Valley Falls is in need of improvement throughout with the sections set out in paragraph 3 in urgent need due to constantly recurring surface failures.

(c) No State, local, or Federal funds, other than Federal lands highway funds are available or expected to be available soon in amount sufficient to finance more than the portions of the section which are outside the limits of Federal lands due to the need and greater demand for such funds on highways in more populous areas.

(d) According to adopted standards for secondary highways, the present traffic justifies improvement to the standards proposed.

(e) The service rendered is almost entirely service to through traffic, as the area through which the section passes is very sparsely settled and, therefore, generates no considerable part of the total traffic.

(f) The section is used considerably in the transportation of livestock, this movement occurring principally in the fall and spring months when cattle are being moved between the summer range areas and the winter feedlots. Other commodities transported over the section are lumber, livestock feed, machinery, and miscellaneous supplies.

(g) Present average daily traffic on the highway is 200 to 210. Improvement of the section would result in increased use with a probable average daily traffic of 400 by 1975.

CRANE-SCOTTS BUTTE FAS 445

1. The existing facility is substandard as regards roadbed width and surface stability. The horizontal alignment is good but the vertical alignment is below standard. There are 34 vertical curves in the southerly 5 miles, 2 of which have sight distances of 400 and 500 feet respectively. Vehicle speeds are high on this section, creating an extremely hazardous condition.

(a) Roadbed width approximately 23 feet, constructed as Federal land highway 8(1).

(b) Surfacing too light showing constant distress O-9 type oil mat three-fourths-inch thickness 20 feet in width.

(c) Shoulders approximately 1.5 feet in width.

(d) Nineteen hundred and sixty-two average daily traffic (traffic count June 1932) 100 at southerly end and reaching 200 average daily traffic at northerly terminus.

(e) Maintenance costs are high being an average of \$1,148 per mile for years 1959 through 1961.

(f) Reduced load limits were imposed 4 years out of the past 7. The average length of time it was necessary to restrict load limits were 60 days for each closure.

2. Tentative standards proposed for reconstruction of the section are as follows:

Roadbed width: 28 feet.

Pavement width: 20 feet.

Shoulder width: 4 feet (paved).

Pavement depth: 2 inches AC halfsole.

3. Section proposed for reconstruction is from Burns Junction (Junction with I.O.N. FAS Route 513) northerly 5.05 miles. Improvement of vertical alignment in the more deficient places is contemplated.

4. (a) This highway has the characteristics of a through route. Traffic count data recently taken indicates that 50 percent of light vehicles utilizing the route are from out of State.

(b) This highway is in urgent need of improvement from Follyfarm to Burns Junction on the I.O.N.

(c) It provides a vital link and shortcut for all of Oregon, except the extreme southwestern portion, to the Salt Lake area and a convenient means to reach 80N at Winnemucca. In addition to its through traffic characteristics, it provides a direct access for the livestock ranchers of southeastern Oregon to the Portland market. It also provides the most practical route for the ranchers in the southeasterly area to reach Burns which is a community offering shopping, medical, and other facilities.

(d) No State, local, or Federal funds, other than Federal lands highway funds, are available or expected to be available soon in amount sufficient to finance more than the portions of the section which are outside the limits of Federal lands due to the need and greater demand for such funds on highways in more populous areas.

(e) According to adopted standards for secondary highways, the present traffic justifies improvement to the standards proposed.

With the foregoing in view, we wish to apply for Federal lands highway funds to be supplemented with the necessary State funds to give the projects continuity on the following basis of priority:

Unit	Highway or Route	Length				Funds		
		Milepost to milepost	Total	Federal lands, highway	State	Federal lands, highway	State	Total
Riley South.....	U.S. 395	0-5.69	5.7	3.66	2.03	\$201,300	\$111,650	\$312,950
Burns Junction								
North.....	FAS 455	86.6-	5.05	4.76	.29	106,000	-----	106,000
Vicinity of		91.65						
Wagontire.....	U.S. 395	26.5-39.0	12.5	8.88	3.62	461,760	188,240	650,000

Oregon, although one of the larger public lands States, has received no allotment for fiscal years 1961, 1962, and 1963. It is our belief that the above-listed projects meet all established criteria for financing from Federal lands highway funds and request that a substantial allotment be made to Oregon from the next funds available.

Attached are sketch maps showing the sections proposed for improvement.

Very truly yours,

FORREST COOPER, *State Highway Engineer.*

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
July 17, 1962.

HON. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR DENNIS: Enclosed is a letter sent to me by Mr. J. R. Van Horn, Arizona highway engineer, about the need for improvements in U.S. Highway 93, where it passes through public lands in Mohave County, Ariz.

During fiscal year 1962, Arizona was allocated a relatively small sum of \$87,474 for use on public lands highway projects. In fiscal year 1963, my State did not receive any funds under this program. Taking into consideration the fact that Arizona has such a large percentage of federally owned lands, one can see that the State highway department needs any assistance it can get to provide adequate roadways throughout the entire State.

Mr. Van Horn expresses an immediate need for reconstructing U.S. Highway 93, which crosses public lands from Hoover Dam in a southeast direction for 18.3 miles. The approximate cost of this project is \$1 million. As you know, all persons coming from Arizona, New Mexico, and Texas use this highway as a direct route to Lake Meade and Las Vegas. During the peak tourist season, the highway carries a large number of vehicles—considerably more than for what it was designed.

In a secondary priority, Mr. Van Horn states that about \$600,000 is needed for improvements on U.S. Highway 64, from Cameron, Ariz., to the Grand Canyon National Park boundary.

When the Federal Highway Act of 1962 comes before your committee, I hope that you will be able to give all possible consideration to Arizona's needs for public land highway funds and that sufficient funds are authorized so Arizona can receive an adequate allocation during fiscal years 1964 and 1965. I shall appreciate your making Mr. Van Horn's letter a part of the record on the bill.

With kindest personal regards, I am,

Yours very sincerely,

CARL HAYDEN.

ARIZONA HIGHWAY DEPARTMENT,
Phoenix, Ariz., June 26, 1962.

HON. CARL HAYDEN,
U.S. Senate, Washington, D.C.

DEAR SENATOR HAYDEN: In this year's apportionment of Federal lands moneys Arizona failed to participate in any of the funds made available. In years past it has been through your good efforts that Arizona has received a share of the Federal lands appropriation, which is so terrifically important to us in order to accomplish the desired work where our highways traverse public lands. It is for this reason that we must again impose on you to lend us your assistance and the benefits of your advice in obtaining a share of next year's Federal lands appropriation when it is made available.

The fact that we did not receive any of the Federal lands moneys this year leaves us still faced with a project of the highest priority on Highway 93 south from Boulder Dam to the recreation area line. This section has a peak seasonal traffic average of 3,000 cars per day, but has a current sufficiency rating less than 57, which would immediately indicate a hazardous situation. The greatly increased recreational and retirement areas in Mohave County generate a great deal more traffic and only tend to increase an already bad condition. This proposed improvement on Highway 93 will require \$1 million for urgent construction.

We would also like to reiterate our request of last year for \$600,000 with which to make improvements on Highway 64 from Cameron westerly to the Grand Canyon National Park boundary. Here again we have a peak traffic average of some 2,300 cars per day with a sufficiency rating of only 57. You will understand, I know, that in such a scenic area a road free from sharp curvatures and short sight distances is a must, as the average tourist has so many things to attract his attention that only the safest highway possible can suffice.

Our first priority will, of course, remain on Highway 93 with the work on Highway 64 to follow as soon as possible. As mentioned in previous correspondence to you, we will still have work to do on Highway 89 where we cross public lands, but we feel that this particular section will hold up in good condition for another year or two.

As you can see, our Federal lands picture only grows worse. We have planned expenditures for all our regular Federal-aid funds in other areas requiring immediate attention, and it is only with Federal lands moneys that we will be able to accomplish the necessary construction program.

You know, as always, we will appreciate your efforts in our behalf, and any information that you may have from time to time concerning Federal lands moneys will be appreciated so that I might pass the word on to the highway commissioners.

With kindest personal regards, I am,
Very truly yours,

J. R. VAN HORN,
State Highway Engineer.

Senator McNAMARA. I would also like to include in the record several resolutions from cities and counties favoring adoption of section 6 of H.R. 12135 relating to use of secondary funds in urban areas.

The committee has received numerous resolutions such as these, but will only include a few in the record.

(The information referred to follows:)

RESOLUTION 1249

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REQUESTING MORE EXTENSIVE USE OF FEDERAL-AID SECONDARY FUNDS FOR CONSTRUCTION OF FEDERAL-AID SECONDARY HIGHWAYS IN URBAN AREAS

Whereas the President of the United States has recommended to Congress that the Federal-aid highway law be amended to permit more extensive use of Federal-aid secondary funds for construction of Federal-aid secondary highways in urban areas; and

Whereas section 6 of H.R. 11199 entitled "Federal-Aid Highway Act of 1962" will implement this recommendation by making available increased financing for the construction of Federal-aid secondary highways in urban areas; and

Whereas the city of Lakewood is one of the 73 cities making up the vast urban area of Los Angeles County, which said county has a total population in excess of 6,330,000 and has over 3 million vehicles within its 4,000 square miles; and

Whereas this expanding population and vehicle registration has created highway deficiencies resulting in excessive social and economic loss through increased traffic congestion, delay, accidents, and fatalities; and

Whereas in order to eliminate the existing and contemplated critical deficiencies of the highway system in Los Angeles County and to provide road facilities to accommodate the future development of this area, it is essential that the Federal-Aid Highway Act of 1962 be adopted: Now, therefore:

The City Council of the City of Lakewood resolves as follows:

SECTION 1. That the portions of H.R. 11199 relating to the extension of Federal-aid secondary highway systems in urban areas be approved and the same is hereby approved by the city council on behalf of the city of Lakewood. The city council requests and urges each Member of the Congress of the United States to support this important legislation which will remove the present limitation on Federal-aid secondary financing for urban areas.

SEC. 2. The city clerk is directed to forward certified copies of this resolution to the Senate and House Committees on Public Works, to U.S. Senators Kuchel and Engle, and to Representative Craig Hosmer. In addition, the city clerk is directed to forward a certified copy of this resolution to the League of California Cities and to the clerk of the Board of Supervisors of the county of Los Angeles.

Adopted and approved this 26th day of June 1962.

ROBERT W. BAKER, *Mayor*.

Attest:

JO BENNETT, *City Clerk*.

RESOLUTION 4680

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AFFIRMING ITS APPROVAL AND SUPPORT OF PORTIONS OF H.R. 11199 RELATING TO EXTENSION OF FEDERAL-AID SECONDARY SYSTEM URBAN AREAS

Whereas John F. Kennedy, President of the United States, in his message on transportation included in his recommendations: "That the Federal-aid highway law be amended to permit more extensive use of Federal-aid secondary funds for extension of the secondary system in urban areas; and

Whereas section 6 of H.R. 11199 titled "Federal-Aid Highway Act of 1962," which will implement this recommendation of the President, was referred to the House of Representatives' Committee on Public Works for their consideration; and

Whereas Los Angeles County is now a vast urban area containing 73 cities with a total population in excess of 6,300,000 concentrating over 3 million vehicles within its 4,000 square miles, whose population and vehicle registration exceed that of any 1 of 42 individual States; and

Whereas this expanding population and vehicle registration generate highway deficiencies resulting in excessive social and economic loss through increased traffic fatalities, accidents, congestion, and delay; and

Whereas in order to eliminate the existing and contemplated critical deficiencies of our highway systems, and to provide road facilities to accommodate the future development of this area, it is essential that increased financing be made available for the construction of Federal-aid secondary highways in the urban areas of Los Angeles County as provided by section 6 of H.R. 11199: Now, therefore, be it

Resolved, That the city council of the city of Huntington Park does hereby affirm its approval and support of the portions of H.R. 11199 which relate to the extension of the Federal-aid secondary system in the urban areas and urges the city councils of this area, the County Supervisors Association of California, the League of California Cities, the California State Highway Commission, and each Member of Congress of the United States to support this important legislation which will remove the present limitation on Federal-aid secondary financing for urban areas; and

That certified copies of this resolution be sent to the Senate and House Committees on Public Works, to the U.S. Senators of the State of California, and to the Representatives in Congress from the county of Los Angeles, and to each of the aforementioned jurisdictions, agencies, and individuals.

A. R. KELLOGG,

Mayor of the City of Huntington Park.

Attest:

STATE OF CALIFORNIA,
County of Los Angeles, ss:

I, Agnes R. Platt, city clerk of the city of Huntington Park, do hereby certify that the foregoing resolution, being Resolution No. 4680, was passed and adopted by the city council of the city of Huntington Park, signed by the mayor of said city and attested by the city clerk, all at a regular meeting thereof held on the 18th day of June 1962, and that the same was passed and adopted by the following vote, to wit:

Ayes: Councilmen—Horton, Walsh, Bill, Jackson, Kellogg.

Noes: Councilmen—None.

Absent: Councilmen—None.

[SEAL] AGNES R. PLATT, *City Clerk*.

STATE OF CALIFORNIA,
County of Los Angeles, ss:

I, Agnes R. Platt, city clerk of the city of Huntington Park, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 4680, which was passed and adopted by the city council of said city at a regular meeting thereof, held on the 18th day of June 1962, and which is on file in my office.

In witness whereof, I have hereunto set my hand and affixed my official seal this 21st day of June 1962.

AGNES R. PLATT, *City Clerk*.

RESOLUTION 62-78

RESOLUTION IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO—SUPPORTING LEGISLATION—EXTENSION OF FEDERAL-AID SECONDARY SYSTEM

Whereas in order to eliminate the existing and contemplated critical deficiencies of our highway systems, and to provide road facilities to accommodate the future development of this area, it is essential that increased financing be made available for the construction of Federal-aid secondary highways in the city of San Leandro and in other urban areas of the county of Alameda as provided by section 6 of H.R. 11199: Now, therefore

The City Council of the City of San Leandro does resolve as follows:

That said city council does hereby approve and support the portions of H.R. 11199 which relate to the extension of the Federal-aid secondary system in the urban areas and urges the city councils of this area, the County Supervisors Association of California, the League of California Cities, the California State Highway Commission, and each Member of Congress of the United States, to support this important legislation which will remove the present limitation on Federal-aid secondary financing for urban areas; and be it further

Resolved, That certified copies of this resolution be sent to the Senate and House Committees on Public Works, to the U.S. Senators of the State of California, and to the Representatives in Congress from the county of Alameda.

Introduced by Councilman Cheatham and passed and adopted this 18th day of June 1962, by the following called vote:

Ayes: Councilmen: Cheatham, Gill, Kant, Suerstedt, Swift, Taylor, and Mayor Maltester (7).

Noes: Councilmen—None.

Absent: Councilmen—None.

JACK D. MALTESTER,
Mayor of the City of San Leandro.
RICHARD H. WEST,
City Clerk.

I hereby certify that the above is a true and correct copy of Resolution No. 62-78.

EMILY M. SIMPSON, *Deputy City Clerk.*

BOARD OF SUPERVISORS,
COUNTY OF SAN DIEGO,
San Diego, Calif.

RESOLUTION 4 RE EXTENSION OF FEDERAL-AID SECONDARY SYSTEM IN URBAN
AREAS

On motion of Supervisor Bird, seconded by Supervisor Cozens, the following resolution is adopted:

Whereas existing Federal law and regulations providing for the use of Federal-aid secondary funds impede the development of essential secondary system highways where those highways extend into or cross urban areas; and

Whereas John F. Kennedy, President of the United States, has recommended liberalization of these laws and regulations to permit the accomplishment of their desired objectives; and

Whereas section 6 of H.R. 11199 titled "Federal-Aid Highway Act of 1962" will carry out this recommendation of the President and is now being considered by the House of Representatives Committee on Public Works: Now therefore, it is

Resolved by the Board of Supervisors of the County of San Diego, That this board does hereby approve and support the provisions of H.R. 11199 relating to the extension of the Federal-aid secondary system in urban areas and respectfully urges each Member of the Congress of the United States to support this important legislation; it is further

Ordered, That certified copies of this resolution be sent to the Senate and House Committee on Public Works, to the Honorable Clair Engle and the Honorable Thomas H. Kuchel, U.S. Senators of the State of California, and to the Honorable James B. Utt and the Honorable Bob Wilson, Representatives in Congress from the county of San Diego.

Passed and adopted by the Board of Supervisors of the County of San Diego, State of California, this 11th day of June 1962, by the following vote:

Ayes: Supervisors Gibson, Bird, Austin, and Cozens.

Noes: Supervisors, none.

Absent: Supervisor Dent.

STATE OF CALIFORNIA,
County of San Diego, ss:

I, R. B. James, county clerk of the county of San Diego, State of California, and ex officio clerk of the board of supervisors of said county, hereby certify that I have compared the foregoing copy with the original resolution passed and adopted by said board, at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is now on file in my office; that the same contains a full, true, and correct transcript therefrom and of the whole thereof.

Witness my hand and the seal of said board of supervisors, this 11th day of June 1962.

R. B. JAMES,
County Clerk and ex Officio Clerk of the Board of Supervisors.

[SEAL]

By LUCILLE FENELL,
Deputy.

RESOLUTION 62-43-321

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AFFIRMING ITS APPROVAL AND SUPPORT OF PORTIONS OF H.R. 11199 RELATING TO EXTENSION OF FEDERAL-AID SECONDARY SYSTEM URBAN AREAS

The City Council of the City of Irwindale does hereby resolve as follows:

Whereas H.R. 11199, section 6, would remove some of the present limitations on Federal-aid secondary funds to permit increased use of such funds in urban areas; and

Whereas this legislation would make additional moneys available, for streets and roads in cities and would be especially helpful in Los Angeles County which has more population and more vehicle registrations than there are in 42 States; and

Whereas in order to eliminate the existing and contemplated critical deficiencies of our highway systems, and to provide road facilities to accommodate the future development of this area, it is essential that increased financing be made available for the construction of Federal-aid secondary highways in the urban areas of Los Angeles County as provided by section 6 of H.R. 11199: Now, therefore, be it

Resolved, That the City Council of the City of Irwindale does hereby affirm its approval and support of the portions of H.R. 11199 which relate to the extension of the Federal-aid secondary system in the urban areas and urges the city councils of this area, the County Supervisors Association of California, the League of California Cities, the California State Highway Commission, and each Member of Congress of the United States, to support this important legislation which will remove the present limitation on Federal-aid secondary financing for urban areas; and

That certified copies of this resolution be sent to the Senate and House Committees on Public Works, to the U.S. Senators of the State of California, and to the Representatives in Congress from the county of Los Angeles, and to each of the aforementioned jurisdictions, agencies, and individuals.

That the city clerk shall certify to the adoption of this resolution.

Adopted and approved this 16th day of July 1962.

RICHARD H. DIAZ,

Mayor of the City of Irwindale, Calif.

I hereby certify that the foregoing resolution was duly adopted by the City Council of the City of Irwindale at a regular meeting held on the 16th day of July 1962, by the following vote, to wit:

Ayes: Councilmen Breceda, Miranda, Martinez, Sulzer, and Diaz.

Noes: None.

Ayes: None.

LEE B. YOUNG,

City Clerk of the City of Irwindale, Calif.

Senator McNAMARA. The next witness is the Honorable John Carver, Assistant Secretary of Interior for Public Land Management.

Mr. Carver, we are glad to have you here. You may proceed in your own manner.

**STATEMENT OF HON. JOHN CARVER, ASSISTANT SECRETARY,
PUBLIC LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR,
ACCOMPANIED BY DUDLEY BAYLISS, NATIONAL PARK SERVICE**

MR. CARVER. Thank you, Mr. Chairman. Depending on the wishes of the committee, I believe we can be very brief. We have submitted a report on the program aspects of our part of the bill before you to the House of Representatives which is before this committee, and we have also prepared and submitted individual reports from each of the bureaus of the Interior Department which are involved, the National Park Service, the Bureau of Indian Affairs, and the Bureau of Land Management.

We are satisfied with the bill which is before the committee and with the authorizations. We have representatives from each of the program areas here to answer any questions, and I am available to answer any questions, but would have nothing to add to the written material which we have submitted unless the committee should care for it.

As to Senator Stennis' question, I have Mr. Bayliss from the National Park Service, an expert in this matter, to assist me in answering those questions if you like them in the record at this time.

Senator McNAMARA. Thank you very much. The statements you have submitted containing this very detailed information statistics will be made a part of the record at this point.

(The material referred to follows:)

GENERAL STATEMENT OF THE NATIONAL PARK SERVICE RELATING TO THE NEEDS FOR ROADS AND TRAILS AND PARKWAYS CONSTRUCTION IN THE NATIONAL PARKS, MONUMENTS, AND OTHER AREAS ADMINISTERED BY THE NATIONAL PARK SERVICE

As of January 1, 1962, the National Park Service administered 192 individual national parks, mounments, recreation areas, and areas in other classifications. These areas included nearly 26 million acres of federally owned lands, and during the travel year ending December 31, 1961, visitors totaled 79,039,800. This does not include the estimated 7,623,000 visitors to the memorials and other areas administered by National Capital Parks here in the District of Columbia and nearby areas. These parks, monuments, and other areas, including parkways, contain about 7,750 miles of roads, and about 8,750 miles of trails. It is the policy of the National Park Service to construct roads to what is considered to be a representative or fair assortment of interesting or distinguishing features, usually representing the prime features for which the areas were set aside. These roads are supplemented by trail systems to meet the demands of those visitors who wish to get away from the more densely populated areas and see some of the wilderness or other scenic, scientific, or historic features of interest. It is not the intent of the Service to construct extensive additional road mileages. In addition to roads and trails for visitor use, the Service constructs utility roads, and truck trails required for forest protection, ranger patrol, and so forth.

On the average, about 80 to 85 percent of our road construction has been for reconstructing or replacing existing roads, many of which were constructed on routes established 50 or more years ago, for traffic which was predominantly by horse-drawn vehicles.

Gratifying progress has been made on roads and trails construction since the inception of the Mission 66 program, starting with the 1957 fiscal year. For the 7-year period 1957-63, more than \$119 million has been authorized for roads construction, and about \$75 million will be needed to carry out the roads and trails construction contemplated for the remaining 3 years of the Mission 66 program. Another \$181 million is estimated to be needed to complete construction after 1966.

It is recommended that the present roads and trails authorization of \$18 million be increased to \$22 million for the 1964 fiscal year and to \$25 million for the 1965 fiscal year. This increase will be necessary if we are to keep up with the growing demands for reconstructing existing roads; to provide roads in areas which have been added to the national parks system in recent years, and for those areas which are proposed for addition within the immediate future years.

One of the problems that has faced the service, during the past 2 years, and which will be largely corrected by increased authorizations, has been the lack of roads and trails funds to keep in balance with the funds appropriated for buildings, utilities, and miscellaneous construction. For example, the Congress has been very sympathetic, and has given us considerable financial assistance in meeting the public demand for campground facilities. However, we have had difficulty in meeting all high-priority roads and trails projects, and at the same time providing sufficient funds for access and circulatory roads in campgrounds.

PARKWAYS

Authorizations of \$16 million are being recommended for each of the 1964 and 1965 fiscal years, for parkways construction. It is estimated that \$129,777,000 will be required, beginning with the 1964 fiscal year, to complete six of nine authorized parkways. These parkways are the Blue Ridge in North Carolina and Virginia, the Colonial in Virginia, the George Washington Memorial in Maryland and Virginia, the Natchez Trace in Alabama, Mississippi, and Tennessee, the Foothills in Tennessee, the Rock Creek and Potomac in the District of Columbia, the Baltimore-Washington and the Suitland in Maryland and the District of Columbia, and the Palisades Parkway in the District of Columbia. Good progress has been made on the parkways program as a whole under the Mission 66

program. Particularly good progress has been made on the Blue Ridge Parkway. The amount of \$109 million has been authorized for parkways construction from the beginning of the Mission 66 program in the 1957 fiscal year through the 1963 fiscal year. The parkways total approximately 1,100 miles, of which about 672 miles have been completed, about 140 miles have been started, and about 285 miles remain to be started. The Colonial Parkway in Virginia has been essentially completed and nothing further is contemplated on construction of the Baltimore-Washington and Suitland Parkways at this time except for grade separations, or other measures required to meet developing traffic and safety needs.

STATEMENT OF THE BUREAU OF INDIAN AFFAIRS

Because Indian lands are tax exempt, local governments do not supply such services as roads. Therefore, it becomes necessary for the Bureau of Indian Affairs to furnish roads, schools, law and order, and other community services. Most Indian reservations are in isolated areas. This makes them even more dependent on road transportation than normal rural communities, because roads are usually the only method of transportation. In its efforts to educate Indians, and to otherwise improve their social and economic status, roads are an important element.

All-weather roads are needed to permit school attendance of additional Indian pupils on a day, rather than a boarding basis. The cost of construction and operation of day schools is approximately half that of boarding schools. In addition, the following advantages accrue to the Indian children when they can attend school on a day basis; they remain with their families and have the benefit of parental guidance during their formative years; their parents are encouraged to participate in school affairs, thus giving support and more meaning to their education. In keeping with longtime objectives of the Bureau, Federal schools will be transferred to the public school system as rapidly as conditions permit. Readiness of the Indian parents and the community, organization of school districts, and availability of appropriate facilities are determining factors, and the operation of day schools will hasten their development. The building of all-weather road systems on the reservations would therefore result in savings to the Federal Government by promoting the more economical day school operations and facilitating the eventual withdrawal of Federal services.

It is also obvious that the nationwide Federal and State programs for building interstate and other State highways will greatly increase the number of tourists seeking recreation in the picturesque Indian country. This is an important economic opportunity for the Indian people. The Indian Bureau road system furnishes access from the main State highways to these recreation areas.

A great expansion of industry on the reservations is underway. This takes many forms such as mining, oil and gas, timber, cattle, and farming. The efficient operation of these industries and the full development of their potential require an acceleration of the Indian Bureau road program. Road construction is also essential to the protection, conservation, and management of the natural resources on which these industries are based.

The 1963 fiscal year appropriation now before Congress totals \$193,375,000 for the overall Bureau program of community services, economic development, and construction of buildings, irrigation works, and roads. In addition, \$65,054,000 is included for Indian health services. The operation and efficiency of this overall program demands improved road transportation facilities, and it is our opinion that an increase from the 1963 level of \$12 million for Bureau road construction to \$16 million for fiscal year 1964, and \$18 million for fiscal year 1965, as covered by H.R. 12135, is essential in order to furnish the road facilities necessary to the efficient operation of the overall Bureau program, and to the welfare of the residents of Indian lands.

STATEMENT BY EUGENE V. ZUMWALT, ASSISTANT DIRECTOR, RANGE AND FOREST MANAGEMENT, BUREAU OF LAND MANAGEMENT

We appreciate the opportunity to appear before you regarding S. 3136. The committee has Secretary Carver's statement of the Department's views on this bill, which recommends its enactment.

My remarks will be limited to Bureau of Land Management requests under Public Land Development Roads and Trails. The sums cited that are related to section 4, S. 3136, are \$2 million for fiscal year 1964, and \$4 million for fiscal year 1965, and are the same amounts as in H.R. 12135.

The Bureau of Land Management administers a little more than 157 million acres of public forest land in the Western United States and Alaska, of which approximately 44 million acres are classed as commercial forest land, supporting a stand volume in excess of 204 billion board feet.

Additionally, 178 million acres of public rangelands in the Western United States, and an estimated 100 million acres of usable livestock and big game range in Alaska, must be managed, protected, and developed. Access roads are essential to the management of these lands.

Recreational pressures for increased use of these lands by the public further emphasize the critical needs for adequate roads.

Heretofore it has been the practice to construct most of our roads in forested areas through timber sale contract requirements. While these roads serve their primary purpose, in most instances they are not adequate for the expanded use placed on them now. Our timber sale purchasers are normally not professional roadbuilders, and standards for multipurpose roads generally impose a severe burden on their construction activities. The standards of roads needed for full resource development—serving timber, minerals, range, protection, recreation, water, and wildlife, exceed their modest equipment and skills.

The 1964 program at the requested level of \$2 million would permit construction of about 290 miles of road, surfacing 45 miles, acquisition of 50 miles of private road, and construction of five bridges.

The 1965 level of \$4 million would provide for construction of about 630 miles of road.

Inclusion of Bureau of Land Management road needs within the scope of this legislation as enacted by the Congress will provide needed support for the public land resource programs insofar as roads are concerned and will afford a basis for timely and orderly development of our road program.

Senator McNAMARA. Are there any questions or comment from this witness?

Senator Stennis has a list of questions here we would like to ask of the Department through Chairman Chavez. We will ask the clerk to read them.

Senator CHAVEZ. On behalf of Senator Stennis and myself.

Senator McNAMARA. Yes.

The CLERK. Mr. Carver, the Federal-Aid Highway Act of 1959 authorized \$2 million for the Natchez Trace Parkway relocation in connection with the Pearl River Valley Water Supply District reservoir north of Jackson, Miss. Has this work been completed?

Mr. CARVER. No, sir; it has not. We cannot proceed with the construction until the district completes the acquisition of necessary lands. The construction plans for the parkway relocation are expected to be completed by September 1962; that is, next month. We expect to have the first contract ready for advertisement by November of this year on the basis of the \$2 million authorized in 1959 and appropriated in the 1960 fiscal year Interior Department Appropriation Act.

The CLERK. Mr. Carver, will the \$2 million appropriation complete the relocation work?

Mr. CARVER. No sir; it will not. An estimate was made in 1961 by the National Park Service and the Bureau of Public Roads. We are lacking about \$550,000 to complete the relocation work. The estimate totals \$3,132,600, of which \$585,000 has been provided by the service of the National Park Service in the 1963 fiscal year parkway construction program for two highway grade separation structures. Owing to the development of the reservoir and the desire of the district for

access connections to serve the numerous reservoir recreational facilities, we have agreed to construct these two structures from our regular appropriated funds to safeguard parkway motorists.

The CLERK. Mr. Carver, then the additional authorization needed is \$550,000?

Mr. CARVER. Yes, sir. This amount will take care of the paving work. If Congress so authorizes this amount in the Federal-Aid Highway Act, we will be in position to include the item in the 1964 fiscal year parkways construction program, which will be at the proper time to follow up the grading and structures now programed.

Senator McNAMARA. Thank you very much. I think the information you have brought us here answers the question and will be very helpful to the subcommittee and the full committee when we come to the consideration of this final legislation. Thanks again.

Senator RANDOLPH. Mr. Chairman, may I ask a question?

Senator McNAMARA. Yes.

I asked before if anybody had any questions or comments. You go right ahead.

Senator RANDOLPH. I am very sorry.

Senator McNAMARA. Go right ahead.

Senator RANDOLPH. Mr. Carver, are you prepared or do you feel it appropriate to discuss some matters in reference to the highway development in the District of Columbia?

Mr. CARVER. I am not technically prepared to do it. I am not sure we have the correct witnesses here for the detailed matters. In a general way I know what we are doing and some of the basic decisions which have been discussed publicly. I would naturally be glad to try to answer any questions the Senator would like to put to me.

Senator RANDOLPH. I will be very brief.

Do you consider the inner loop and connections to such a highway as, let us say, the heart of the interstate program within the District of Columbia?

Mr. CARVER. Senator Randolph, if you permit me to say that I am not personally able to make any judgment or have not personally made any judgment on that basis—I do know that the National Park Service—and the park planners have expressed certain reservations concerning some of the projected programing for it.

As to your specific question as to the inner loop being an integral part of it, I think the answer is probably "Yes," but as to the details of it, I do not—there are reservations being expressed.

Senator RANDOLPH. Mr. Carver, there are projects which are directly connected with the parkways in this area. Is that not true?

Mr. BAYLISS. The George Washington Parkway.

Mr. CARVER. The inner loop he is talking about.

Senator RANDOLPH. Yes; the inner loop.

Mr. BAYLISS. Connections at the bridges?

Senator RANDOLPH. Yes, sir.

Mr. BAYLISS. I think those have been discussed; yes, connections to the George Washington Parkway.

Mr. CARVER. This is Mr. Bayliss of the National Park Service.

Senator RANDOLPH. I was speaking of the Three Sisters Bridge.

Mr. BAYLISS. Yes.

Senator RANDOLPH. I wonder if you would discuss Route 66 just very briefly. I am not going to press the point if there is reluctance on the part of the witness.

Mr. CARVER. If I could speak?

Senator RANDOLPH. I have no desire to impose on the witness.

Mr. CARVER. We fully understand the Senator's interest in this, not to press us on the point. I merely want to say to the committee that I am not technically competent to discuss the matter because I have not gotten into the technical details of it.

The Secretary has sent a letter to Senators expressing some concern about the Three Sisters Bridge, and I, as a departmental officer, am well aware of those letters and can testify along that general line. However, as to the role, as to the integration of any particular part of this thing as it would affect the authorizations of this committee, I do not feel competent to discuss it with any assurance.

Senator RANDOLPH. Mr. Chairman, I appreciate the attitude of the witness and, in fact, both gentlemen, and I will not press the point. There will be a time later perhaps when it will be appropriate to discuss the subject.

Thank you.

Senator KERR. Would the Senator yield?

Senator McNAMARA. Senator Kerr.

Senator KERR. Where is the Three Sisters Bridge on both sides?

Mr. CARVER. The Three Sisters Bridge is a location across the Potomac River which generally runs from—it is in the area of the Three Sisters Islands.

Senator KERR. Is it west of Chain Bridge or east?

Mr. CARVER. It is east of Chain Bridge.

Senator KERR. Between Chain Bridge and Key Bridge?

Mr. CARVER. Yes, sir. It is right at the mouth of Spouts Run.

Senator KERR. I do not know. I am not acquainted with that. I was trying to figure it out from my knowledge of where Chain Bridge and Key Bridge are.

Mr. CARVER. It is upstream just slightly, just let us say a mile or so.

Mr. BAYLISS. Just a mile.

Mr. CARVER. From the Key Bridge. Upstream from Key Bridge about 1 mile.

Senator KERR. How far is Key Bridge from Chain Bridge?

Mr. CARVER. Up to—

Senator KERR. How far is it from Key Bridge to Chain Bridge?

Mr. CARVER. I suppose about 3 miles.

Mr. BAYLISS. To Chain Bridge.

Mr. CARVER. So it would be 2 miles.

Senator KERR. It is hardly a third of the way up.

Mr. CARVER. About a third of the way up; yes, sir.

Senator KERR. I see.

Senator RANDOLPH. Mr. Chairman, could I comment on the observation of the Senator from Oklahoma with reference to the location?

Senator McNAMARA. Go ahead.

Senator RANDOLPH. The Monday, August 6, 1962, Washington Evening Star editorial to which I made reference yesterday and

which is in the record, asks, "What is going to happen if the Three Sisters Bridge is not built? Is Route 66 when completed in Virginia going to stop at the river's edge or is the great volume of traffic including trucks which it will carry to be dumped onto the Roosevelt Island Bridge?"

I just make that comment at this time. I think you are cognizant of this.

Mr. CARVER. Yes, sir. I am well cognizant of the problem. I just do not feel competent to get into the details of it.

Senator RANDOLPH. Yes, I understand.

(The editorial referred to is as follows:)

HIGHWAY SETBACK

The House subcommittee report which, in effect, blocks the District's highway program is unrealistic. For most of the projects which the subcommittee seems to have set its face against will have to be built sooner or later.

What is going to happen, for example, if the Three Sisters Bridge is not built? Is Route 66, when completed in Virginia, going to stop at the river's edge? Or is the great volume of traffic, including trucks, which it will carry to be dumped onto the Roosevelt Island Bridge?

The major opposition to the highway program comes, of course, from the rapid transit advocates. And to the extent that it is feasible, rapid transit must be introduced into the metropolitan area. The need is for a balanced program of highways and mass transportation, since neither can do the job alone. This being so, we do not suppose any great harm is done by stalling the highway program until the report of the National Capital Transportation Agency becomes available, presumably in November. But it is rather silly.

Senator McNAMARA. Thanks very much, gentlemen.

The next witness is the Honorable Edwin N. Martin, Assistant Secretary of State for Inter-American Affairs, Department of State. Is Mr. Martin here? Apparently not. He had some others who will appear with him. Are any of the people who accompany Mr. Martin here? If not, we will pass that one. Thank you.

Mr. John Baker, Assistant Secretary of Agriculture. Mr. Baker, we will be glad to hear from you.

We are very glad to have you here and you may proceed in your own way. I see you have a comparative short statement.

STATEMENT OF JOHN A. BAKER, ASSISTANT SECRETARY OF AGRICULTURE

Mr. BAKER. Mr. Chairman, it is always a privilege and pleasure to appear before this committee. I have been here many times before and I see many friends around the horseshoe that your committee occupies.

I have with me the Assistant Chief of the Forest Service, Mr. M. M. Nelson, who will make a more detailed statement after I have made a brief statement of policy.

I appreciate this opportunity to appear before the committee on S. 3136 and H.R. 12135, both of which would authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code. Both would also authorize an additional appropriation for forest development roads and trails for fiscal year 1963.

S. 3136 and H.R. 12135 are of interest to the Department of Agriculture because they would provide authorizations for both of the ground transportation systems which serve the national forests. One of these is the forest highway system; the other is the forest development road and trail system. Both systems are essential for developing and obtaining the maximum practicable yield and use of the products and services of these forests on a continuing basis under the Multiple Use-Sustained Yield Act.

The existence of a road system permits an intensity of management and use of the national forests for all purposes that are not otherwise possible. Furthermore, roads that give access to national forest timber are investments which pay their own way over a period of years. Use of these roads by the public results in substantial benefits to the localities the roads serve.

The long-range objective of the Department of Agriculture is to provide and maintain a system of forest development roads and trails which will adequately service the national forest system at the levels needed to meet expected needs and optimum production of products and services. For the year 2000 we anticipate this will mean servicing (a) the protection requirements of watersheds producing millions of acre-feet of water each year, (b) recreation and wildlife resources used each year by 635 million visitors, (c) a timber resource supporting an annual cut of 21 billion board feet, and (d) 60 million acres of rangelands. At this level of performance these federally owned properties will return an estimated \$400 million annually to the U.S. Treasury in the form of receipts.

In recent months the depressed condition of the lumber industry has come to the forefront and has been the subject of various committee sessions of the Congress and conferences with the executive branch, which have been detailed by previous witnesses this morning. The need for immediate remedial action was recognized in a White House conference week before last. In the President's news release he pointed up means designed to assist the lumber industry and improve its competitive position. One of the means outlined by the President was the use of additional funds for forest development roads and trails to assure the prompt harvest of national forest timber.

We recommend a total authorization of \$60 million for forest development roads and trails for the fiscal year ending June 30, 1963.

The amount which the bills would authorize for forest development roads and trails for fiscal year 1963 was recommended several months ago. Since that time it has become apparent that additional authorization is urgently needed to finance the construction of forest development roads. The lumber industry is currently faced with local shortages of timber supplies and the lack of access is a contributing factor to this situation. Additional funds for forest development roads and trails will help make it possible to sell the full allowable cut of timber products from the national forests, an example of which was given by Senator Church earlier this morning to your committee. This can be a significant contribution in giving immediate aid to the lumber industry. At the same time, it will accelerate the development of multiple-purpose forest roads and trails and thereby intensify the use and enjoyment of all the resources of the national forest.

With the permission of the chairman I will ask Mr. Nelson to take over at this point.

Senator McNAMARA. Thank you very much.

Mr. Nelson, we will be glad to hear from you at this point.

STATEMENT OF M. M. NELSON, ASSISTANT CHIEF OF THE FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. NELSON. Mr. Chairman and members of the committee, the 154 national forests and 18 national grasslands in the national forest system consist of 186 million acres of Federal lands and waters located in 39 States and the Commonwealth of Puerto Rico. These lands produce water, timber, forage, recreation services, fish, big game, other wildlife, and minerals. They include the most important watersheds in the West and the headwater lands of many important rivers in the East.

The transportation system which serves the national forests is a complex of highways and access roads and trails under various ownerships and jurisdictions. For administrative purposes these facilities are grouped into a forest highway system and a forest development road and trail system.

Forest highways are parts of Federal-aid, State, county, and other public highways in and adjacent to the national forests. They are of primary importance to the States, and to the counties and communities in and adjacent to the national forests. They also provide access to and outlet from forest development roads and trails. They are heavily used by persons visiting the national forests for recreation and other purposes. Most of the products of the forests move over these highways en route to mill or market.

The forest highway system is administered by the Secretary of Commerce through the Bureau of Public Roads. According to the 1961 Report of Operations on the Forest Highway System there are 24,958.2 miles of roads in the system. The same report gave an estimate of \$2.5 billion as the cost of the additional work needed on the system as of June 30, 1961.

Forest development roads and trails provide access to national forest lands for the protection, development, and multiple-use management of the forests, including resources on which communities in and near the forests are dependent. This system of roads and trails is administered by the Secretary of Agriculture through the U.S. Forest Service.

As of June 30, 1961, there were 179,213 miles of roads and 106,577 miles of trails in the forest development system. It is estimated that when completely installed this system will consist of 542,250 miles of access roads and that the trail network would be reduced to 80,000 miles. In 1958 it was estimated that the cost of installing the eventual system would be about \$6.7 billion at prices then prevailing. About 80 percent of the roads and trails that will eventually be needed should be installed by the year 2000 to assure meeting the annual demand for use of the wood, water, forage, wildlife, and recreation resources of the national forests that will exist on a continuing basis at that time.

An adequate system of forest development roads and trails is essential to the proper development and beneficial use of the national forests and their resources. The presence or lack of access by road or trail has a direct and controlling influence on most phases of forest management and utilization such as:

- (a) The protection of national forest resources from fire, insects, and disease;
- (b) The use of recreation, hunting, and fishing resources;
- (c) The volume of timber that can be marketed, especially for small sales, and the support of dependent communities and small business enterprises; and
- (d) The level of salvage cutting in dead and dying timber stands and the opportunity to promptly salvage losses resulting from fire, windstorm, insects, and disease.

The development program for the national forests which was submitted to the Congress September 21, 1961, sets forth the resource management and development work needed in the national forests during fiscal years 1963-72 to assure that the forests will meet their full share of present and future public needs.

Service at the levels of production and utilization visualized in this program will eventually require the construction of about 379,900 miles of new roads and 6,000 miles of new trails, along with the reconstruction to higher standards of about 105,000 miles of roads and 10,500 miles of trails. About 26,500 miles of existing trails will be replaced in service by the construction of new roads.

The program proposals for forest development roads and trails for the 10-year period are as follows:

1. Complete the construction and reconstruction of about 79,400 miles of multiple-purpose roads and 8,000 miles of trails. This constitutes about 17 percent of the long-range requirements for these facilities.

Approximately 40 percent of the value of roads for access to timber planned for this period will be provided by purchasers of national forest timber, but paid for by the Government through adjustment of stumpage prices.

2. Provide maintenance to full standards on the 268,900 miles of existing access roads and trails and on the new roads and trails that will be constructed during the period.

The estimated cost of the road and trail construction proposed in this 10-year program is approximately \$1.7 billion of which about \$1.2 billion should be financed with appropriated funds. The balance of about \$0.5 billion would constitute work performed by purchasers of national forest stumpage and would be financed by appropriate allowances in the appraisals of timber offered for sale. During the same decade about \$242 million will be required for maintenance of the system. For this work about \$182 million appropriated funds will be needed. The balance—\$60 million—represents the value of maintenance work that will be required of purchasers of national forest timber during the period.

Because an adequate system of roads and trails is essential for the other phases of the 10-year development program, orderly execution of the rest of the development program for the national forests re-

quires substantial investments in road construction for each year of the program beginning with fiscal year 1963.

In the 1962 message on the conservation program the President recommended approval of legislation to accelerate the development of national forest multiple-purpose roads and trails. The level of authorizations which I will now discuss and recommend are those to which the President had reference in his message.

The authorization provided in the Federal-Aid Highway Act of 1960 for forest development roads and trails for fiscal year 1963 falls critically below the level of financing needed. In the fiscal year 1963 budget, which has been acted on by Congress, the road portion of the development program for the national forests is financed at 67 percent, while the program as a whole, exclusive of research, is being financed at about 83.4 percent of the planned level. Consequently, in order to catch up, there is urgent need for the additional fiscal year 1963 authorization that is requested here.

In our report of May 1, 1962, to this committee, we recommended enactment of S. 3136. Insofar as it affects the Department of Agriculture, the provisions of that bill are the same as the corresponding provisions of H.R. 12135 which was passed by the House of Representatives on July 18, 1962. As Mr. Baker stated, conditions in the lumber industry make it advisable to provide more funds for the fiscal year ending June 30, 1963, than were considered necessary at the time of our report on S. 3136. We therefore recommend that S. 3136 and H.R. 12135 be amended as follows:

Page 2, line 18, change "\$10 million" to "\$20 million".

For the fiscal years 1964 and 1965 authorizations of \$70 million and \$85 million, respectively, will be necessary to keep the program on schedule and provide the access needed to harvest the timber cut projected for these years and to meet critical needs for fire and recreation roads.

We recommend the enactment of S. 3136 or H.R. 12135 insofar as they relate to the authorizations for forest development roads and trails, amended as recommended above for fiscal year 1963.

Now I would like to talk about the benefits that will accrue from the development program for the national forests.

Under this 10-year development program, management and utilization of national forest resources will keep pace with population growth and national economic development and needs.

Many of the benefits from the development program for the 10-year period will carry over, or will be unrealized, until after the end of the period. Investments in such measures as roadbuilding, tree planting, range reseeding, water conservation, recreation, and other improvements proposed in the initial period are geared not only to short-term needs, but also to the longer range objectives of meeting expected demands on the national forest system during the remainder of the century.

Benefits include direct financial revenues, secondary benefits, and intangible values.

Direct financial revenues from the national forest system will rise to about \$230 million annually by the time the 10-year program is completed, or more than double current receipts. These receipts will then continue to exceed annual operating expenses of the pro-

gram. On the current basis of fees for use and products, over 90 percent of revenues will continue to come from the sale of standing timber. By the year 2000 the annual worth of national forest timber sales should reach \$350 million, based on 1960 prices.

Payments from national forest revenues for county schools and roads will increase correspondingly.

The capital value of the timber, forage, and lands of the national forest system will increase about \$2 billion as a result of the 10-year program.

Secondary benefits include such things as numbers of people employed directly on the work in the 10-year program and the harvesting of national forest timber and other products and the value added to those products by manufacture, distribution, and marketing. Another very important benefit from the immediate implementation of the program would be the acceleration of resource development in areas of labor surplus and low rural income. Of the 186 million acres of land under Forest Service administration, approximately 80 million acres are in or adjacent to present areas of labor surplus and low rural incomes. The planned work and the resultant resource development would contribute materially to accelerating the economy of these areas.

In timber alone, it is estimated that for every dollar of national forest stumpage sold, the end products will be worth about \$20 by the time they reach the ultimate consumer. This means that the annual sale of 13 billion board feet of saw-timber expected to be reached by the end of the 10-year period will have a total consumer value of over \$4 billion. The estimated employment directly associated with the utilization of timber harvested from the national forests will amount to about 800,000 man-years annually by 1972. This will be about twice the current level.

It is estimated that recreational use of the national forest system will reach 195 million visits by 1972, in contrast to the 92.6 million visits in 1960, and a probable 635 million by the year 2000. The recreationists making these 195 million visits will put into trade channels substantial amounts of money for sporting equipment, transportation, licenses, lodging, and other items.

Most of the truly intangible values of the national forests are experienced by those millions of people who use the national forests for reasons other than commercial utilization of resources. No measure of value expresses the real worth of the relaxation, pleasure, rest, spiritual satisfaction, and improvement in health derived from recreational use of the national forests.

Nor can there be any complete assessment in dollars of the lives saved, damage prevented, and resources preserved by improved accessibility, suppression of insect and disease epidemics, fires prevented or controlled when small, and reduction and prevention of floods. All of these are benefits of the conservation program proposed for the national forests.

Substantial progress has been made. The foundation for progress is in place. This 10-year development program builds on that foundation. The result will be full development of these extensive and valuable public properties.

In closing I want to reiterate the point that access is prerequisite to obtaining these benefits. The authorizations which we have recommended are thus the keystone of the rest of the national forest program. Since road maintenance must take first priority, any reduction below the levels of authorization recommended will necessitate a corresponding reduction in funds programed for construction.

That completes my statement.

MR. BAKER. Mr. Chairman, we would be happy to answer any questions any members of the committee might have.

Senator McNAMARA. Thank you very much. Your statements will be helpful to the record, I am sure.

The staff has prepared a list of about seven questions here and in the interest of saving time I am going to ask the clerk to hand you these questions, and will you furnish us your answers to them for the record? We will keep the record open until we hear from you. We have several Senators waiting here to introduce some of their constituents who have come a long way.

(The questions and answers referred to follow:)

QUESTIONS FOR THE FOREST SERVICE ON FOREST RECREATION WAYS

Question No. 1. Section 3 of S. 1159 would provide for a new type of road for recreation in the national forests. Are you familiar with this section?

Answer. Yes. We have studied this section. As we understand it, it would authorize construction and maintenance of forest roads of primary importance for the development, use, and enjoyment of the scenic and recreation resources of the national forests along the route of the road. In other words, a "forest recreation way."

Question No. 2. Are any forest recreation ways of this type provided for in the development program for the national forests, fiscal years 1963-72?

Answer. No.

Question No. 3. Haven't you any recreation roads in that program?

Answer. Yes. We have 8,000 miles of roads in that program which are of primary importance for recreation. These, however, are strictly access roads. They are not situated or planned for coordinated development of the road and its contiguous recreation and scenic resources.

Question No. 4. Have you made any studies or investigations of forest recreation ways?

Answer. We have made preliminary reconnaissance studies of three possible forest recreation ways in West Virginia, in North Carolina-Tennessee, and in Arkansas-Oklahoma. We have also made a provisional count and estimate of the number of such forest recreation ways and their cost in the national forest system.

Question No. 5. Please describe the three forest recreation ways on which you have made preliminary studies.

Answer. The first is in the Monongahela National Forest in West Virginia. It is 160 miles long and would cost about \$23 million to develop. The second is in the Cherokee National Forest in Tennessee and the Nantahala National Forest in North Carolina. It runs between Tellico Plains, Tenn., and Robbinsville, N.C. It is 48 miles long and would cost about \$7 million to develop. The report on this forest recreation way, prepared by the Forest Service, was submitted to the committee by Senator Erwin of North Carolina.

The third forest recreation way we have studied is in the Ouachita National Forest in Arkansas and Oklahoma. It runs between Mena, Ark., and U.S. Highway No. 271 north of Tahleah, Okla. It is 55 miles long and would also cost about \$7 million to develop. This report was submitted to the committee by Congressman Harris of Arkansas.

Question No. 6. You stated that you had made a provisional count and estimate of the number and cost of potential forest recreation ways in the national forest system. Please state the number and cost of such forest recreation ways.

Answer. We estimate there are 181 potential forest recreation ways in the national forest system. They are located in 30 States. The total length is 5,634 miles, and probable cost about \$612 million. This includes the 3 forest recreation ways described above.

Question No. 7. Do these estimates include the cost of rights-of-way and adjunctive recreation facilities? Also, the cost of acquiring adjacent lands that are needed to protect the recreation way from nonconforming uses and developments?

Answer. Yes.

Senator McNAMARA. I understand that the Senator from Montana would like to ask some questions.

Senator METCALF. Thank you, Mr. Chairman. I will try to be brief because I see that we have more colleagues in the audience than we have at the committee table, and I do not want to take time from them.

Mr. Baker, would you tell me something about who does the maintenance on these various forest roads?

Mr. BAKER. Preliminary to answering your question, Senator Metcalf, let me say that it is a real pleasure and privilege to respond to the question of the gentleman whose name and work in the last 10 years has been very closely associated, and significantly so, with the development of the 10-year program for national forests.

Now, on the question of maintenance, as I understand it—and you correct me, Mr. Nelson, if I answer incorrectly—the maintenance of these roads and trails come from this same authorization.

Senator METCALF. So your recommendation of an additional \$10 million over and above the amount contained in H.R. 12135 would include a recommendation for maintenance?

Mr. BAKER. The maintenance would be included in the \$10 million.

Senator METCALF. Who does maintenance on forest highways?

Mr. BAKER. This is done by the State highway department.

Senator METCALF. Who does maintenance on the public lands and development roads and trails?

Mr. NELSON. The States.

Senator METCALF. Who does maintenance on park roads and trails?

Mr. NELSON. That is under the National Park Service. I am not sure about that.

Senator METCALF. Is there any reason why forest development roads and trails should not be maintained in the same way as the forest highways and public land development roads?

Mr. BAKER. Senator Metcalf, it is my understanding a very serious study is now underway with respect to this question.

Personally, Senator Church's statement on this earlier today was quite persuasive. We are not in a position to respond completely to the question at this time. I hope this will be completed by the first or the middle of September and we can be more forthright.

Senator METCALF. Thank you very much.

Now, I do not know, as I did not see the questions the chairman put in, however there was a request for a breakdown of this 10-year development program in your costs. I hope that will be supplied for the record.

Senator McNAMARA. I am sure the agency representatives will answer that question. I see they are already making a note of it.

(The information referred to is as follows:)

ALLOCATION OF FOREST DEVELOPMENT ROAD AND TRAIL FUNDS

(23 U.S.C. 202(b))

Sums authorized to be appropriated for forest development roads and trails shall be allocated by the Secretary of Agriculture according to relative needs of the various national forests, taking into consideration the existing trans-

portation facilities, value of timber or other resources served, relative fire danger, and comparative difficulties of road and trail construction.

The basis for relative need is the 10-year development program for the national forests. Funds for fiscal years 1963 through 1972 will be allocated to the States according to the percentage of the total development program required in each State.

The mileage requirements of the development program were estimated from projections of (1) what must be done during the years 1963-72 to meet the demands for forest products and services that will be imposed of the national forests during those years, and (2) what in addition must be done during those years to insure that the national forests will be able to meet the demands for forest products and services that will exist in the year 2000. Consolidation of these projections led us to conclude that during the decade the following road construction should be accomplished:

(1) For timber access, 54,870 miles. This is 16 percent of the year 2000 requirements.

(2) For recreation access, 8,500 miles. This is 60 percent of the year 2000 needs.

(3) For other access—range, forest protection, research, etc., 16,000 miles. This is 32 percent of the year 2000 requirements.

See attached tables for details.

Development program for the national forests—Road and trails, fiscal years 1963-72

[Dollars in thousands]

Region and State	Total Government construction, reconstruction, and maintenance			
	Amount	Percent of national forest program	Percent of region program	Average annual maintenance expense
Region 1:				
Idaho.....	\$72,703	5.2	41.7	-----
Montana.....	91,198	6.5	52.3	-----
South Dakota.....	760	.1	.4	-----
Washington.....	9,738	.7	5.6	-----
Total.....	174,399	12.5	100.0	-----
Region 2:				
Colorado.....	90,210	6.5	72.0	-----
Nebraska.....	351	-----	.3	-----
South Dakota.....	9,364	.7	7.5	-----
Wyoming.....	25,262	1.8	20.2	-----
Total.....	125,187	9.0	100.0	-----
Region 3:				
Arizona.....	51,148	3.6	57.1	-----
New Mexico.....	38,490	2.8	42.9	-----
Total.....	89,638	6.4	100.0	-----
Region 4:				
California.....	2,804	.2	2.0	-----
Colorado.....	234	-----	.1	-----
Idaho.....	69,438	5.0	47.1	-----
Nevada.....	13,345	1.0	9.0	-----
Utah.....	46,530	3.3	31.6	-----
Wyoming.....	14,985	1.1	10.2	-----
Total.....	147,336	10.6	100.0	-----
Region 5:				
California.....	239,485	17.2	99.8	-----
Nevada.....	-----	-----	-----	-----
Oregon.....	391	-----	.2	-----
Total.....	239,876	17.2	100.0	-----

IMPLEMENTATION OF NATIONAL FOREST PROGRAM RELATED TO 1962 APPROPRIATION

October 23, 1961

Appropriation Item	Reconciling : Adjustment to		National Forest: Program Included in 1962 Budget	Maximum 2/ : Annual Level : F.Y. 1972 (Col. 4-Col. 5)	Amount Needed : For Full Implementation : (Col. 4-Col. 5)	F.Y. 1963		F.Y. 1964		F.T. 1965		F.T. 1966		F.T. 1967		F.Y. 1968		F.T. 1969		F.T. 1970		F.T. 1971		F.Y. 1972			
	Total Increase					Total Available		Total Increase		Total Available		Total Increase		Total Available		Total Increase		Total Available		Total Increase		Total Available		Total Increase		Total Available	
	Col. 1	Col. 2				Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10	Col. 11	Col. 12	Col. 13	Col. 14	Col. 15	Col. 16	Col. 17	Col. 18	Col. 19	Col. 20	Col. 21	Col. 22	Col. 23	Col. 24
FOREST PROTECTION AND UTILIZATION:																											
FOREST LAND MANAGEMENT:																											
National forest protection and management:																											
Timber resource management:																											
Sales administration and management	22,780,000		22,780,000	41,229,000	18,449,000	1,408,000	24,188,000	1,893,000	26,081,000	1,893,000	27,974,000	1,893,000	29,867,000	1,893,000	31,760,000	1,893,000	33,653,000	1,893,000	35,546,000	1,893,000	37,439,000	1,893,000	39,332,000	1,897,000	41,229,000		
Reforestation and stand improvement	12,750,000		12,750,000	49,307,000	36,557,000	4,876,000	17,626,000	8,075,000	25,701,000	8,075,000	33,776,000	8,075,000	41,851,000	8,075,000	49,926,000		49,926,000		49,926,000		49,926,000		49,926,000	-618,000	49,307,000		
Recreation-public use	20,500,000		20,500,000	96,380,000	75,880,000	9,937,000	30,437,000	11,857,000	42,294,000	11,857,000	54,151,000	11,857,000	66,008,000	11,857,000	77,865,000	3,707,000	81,572,000	3,707,000	85,279,000	3,707,000	88,986,000	3,707,000	92,693,000	3,687,000	96,380,000		
Wildlife habitat management	3,220,000		3,220,000	7,989,000	4,769,000	464,000	3,684,000	816,000	4,500,000	816,000	5,316,000	816,000	6,132,000	816,000	6,948,000	201,000	7,149,000	200,000	7,349,000	200,000	7,549,000	200,000	7,749,000	240,000	7,989,000		
Range resource management:																											
Management	4,610,000		4,610,000	7,477,000	2,867,000	18,000	4,628,000	346,000	4,974,000	292,000	5,266,000	319,000	5,585,000	319,000	5,904,000	319,000	6,223,000	319,000	6,542,000	319,000	6,861,000	319,000	7,180,000	297,000	7,477,000		
Revegetation	2,540,000		2,540,000	3,315,000	775,000	126,000	2,666,000	155,000	2,821,000	155,000	2,976,000	155,000	3,131,000	155,000	3,286,000		3,286,000		3,286,000		3,286,000		3,286,000	29,000	3,315,000		
Improvements	3,180,000		3,180,000	5,121,000	1,941,000	175,000	3,355,000	417,000	3,772,000	417,000	4,189,000	417,000	4,606,000	417,000	5,023,000	27,000	5,050,000	27,000	5,077,000	27,000	5,104,000	27,000	5,131,000	-10,000	5,121,000		
Soil and water management 1/	4,090,000		4,090,000	11,854,000	7,764,000	836,000	4,926,000	1,575,000	6,501,000	1,575,000	8,076,000	1,575,000	9,651,000	1,575,000	11,226,000	145,000	11,371,000	145,000	11,516,000	145,000	11,661,000	145,000	11,806,000	48,000	11,854,000		
Mineral claims, leases, and other land uses	6,800,000		6,800,000	13,661,000	6,861,000	936,000	7,736,000	1,354,000	9,090,000	1,354,000	10,444,000	1,364,000	11,808,000	1,354,000	13,162,000	129,000	13,291,000	129,000	13,420,000	129,000	13,549,000	129,000	13,678,000	-17,000	13,661,000		
Forest fire protection	20,390,000		20,390,000	41,250,000	20,860,000	1,897,000	22,287,000	3,136,000	25,423,000	3,136,000	28,559,000	3,136,000	31,695,000	3,136,000	34,831,000	1,336,000	36,167,000	1,336,000	37,503,000	1,336,000	38,839,000	1,326,000	40,165,000	1,085,000	41,250,000		
Structural improvements for fire and general purposes (construction and maintenance)	12,140,000		12,140,000	19,572,000	7,432,000	821,000	12,961,000	1,232,000	14,193,000	1,232,000	15,425,000	1,232,000	16,657,000	1,232,000	17,889,000	347,000	18,236,000	350,000	18,586,000	344,000	18,930,000	341,000	19,271,000	301,000	19,572,000		
Rehabilitation of burns	1,050,000		1,050,000	1,050,000			1,050,000		1,050,000		1,050,000		1,050,000		1,050,000		1,050,000		1,050,000		1,050,000		1,050,000		1,050,000		
Subtotal, National forest protection and management ..	114,050,000		114,050,000	298,205,000	184,155,000	21,494,000	135,544,000	30,856,000	166,400,000	30,802,000	197,202,000	30,839,000	228,041,000	30,829,000	258,870,000	8,104,000	266,974,000	8,106,000	275,080,000	8,100,000	283,180,000	8,087,000	291,267,000	6,938,000	298,205,000		
Less "Cooperative Range Improvements"	-700,000		-700,000	-700,000			-700,000		-700,000		-700,000		-700,000		-700,000		-700,000		-700,000		-700,000		-700,000		-700,000		
Net, National forest protection and management ..	113,350,000		113,350,000	297,505,000	184,155,000	21,494,000	134,844,000	30,856,000	165,700,000	30,802,000	196,502,000	30,839,000	227,341,000	30,829,000	258,170,000	8,104,000	266,274,000	8,106,000	274,380,000	8,100,000	282,480,000	8,087,000	290,567,000	6,938,000	297,505,000		
Fighting forest fires	5,000,000	-5,000,000																									
Insect and disease control:																											
White pine blister rust control	3,265,000	-1,153,700	2,211,300	2,842,000	630,700	352,700	2,564,000	141,000	2,705,000	283,000	2,988,000	283,000	3,271,000	141,000	3,412,000	141,000	3,553,000	141,000	3,694,000	141,000	3,835,000		3,835,000		3,835,000		
Other pest control	5,985,000	-728,100	5,256,900	7,508,000	2,251,100	-17,900	5,239,000	142,000	5,381,000		5,381,000		5,381,000	142,000	5,523,000	142,000	5,665,000	142,000	5,807,000	142,000	5,949,000	283,000	6,232,000	283,000	6,515,000		
Subtotal, Insect and disease control	9,350,000	-1,881,800	7,468,200	10,350,000	2,881,800	334,800	7,803,000	283,000	8,086,000	283,000	8,369,000	283,000	8,652,000	283,000	8,935,000	283,000	9,218,000	283,000	9,501,000	283,000	9,784,000	283,000	10,067,000	283,000	10,350,000		
Purchase of lands	300,000		300,000	2/ 8,125,000	7,825,000	1,625,000	2/ 1,925,000	1,575,000	2/ 3,500,000	1,575,000	2/ 5,075,000	1,575,000	2/ 6,650,000	1,575,000	2/ 8,225,000		2/ 8,225,000		2/ 8,225,000		2/ 8,225,000		2/ 8,225,000	-100,000	2/ 8,125,000		
Total, Forest land management	128,000,000	-6,881,800	121,118,200	315,980,000	194,861,800	23,453,800	144,572,000	32,714,000	177,286,000	32,660,000	209,946,000	32,697,000	242,643,000	32,687,000	275,330,000	8,387,000	283,717,000	8,389,000	292,106,000	8,383,000	300,489,000	8,370,000	308,859,000	7,121,000	315,880,000		
FOREST ROADS AND TRAILS - Total	45,020,000		45,020,000	164,370,000	119,350,000	30,150,000	75,170,000	20,800,000	95,970,000	20,800,000	116,770,000	20,800,000	137,570,000	20,600,000	158,170,000	1,300,000	159,470,000	1,300,000	160,770,000	1,300,000	162,070,000	1,300,000	163,370,000	1,000,000	164,370,000		
Roads and trails for States (10%)	-10,020,000	+10,020,000	(10,020,000)	(21,000,000)	(10,980,000)	(1,680,000)	(11,700,000)	(1,600,000)	(13,300,000)	(1,300,000)	(14,600,000)	(1,000,000)	(15,600,000)	(1,000,000)	(16,600,000)	(1,000,000)	(17,600,000)	(1,000,000)	(18,600,000)	(1,000,000)	(19,600,000)	(1,000,000)	(20,600,000)	(400,000)	(21,000,000)		
Appropriation (Federal Highway Act)	(15,000,000)		(15,000,000)	(163,170,000)	(108,330,000)	(23,330,000)	(76,870,000)	(20,800,000)	(97,670,000)	(20,800,000)	(118,470,000)	(20,800,000)	(139,270,000)	(20,600,000)	(160,070,000)	(1,300,000)	(161,370,000)	(1,300,000)	(162,670,000)	(1,300,000)	(163,970,000)	(1,300,000)	(165,270,000)	(1,000,000)	(166,270,000)		
ACQUISITION OF LANDS FOR NATIONAL FORESTS, SPECIAL ACTS	10,000		10,000	10,000			10,000		10,000		10,000		10,000		10,000		10,000		10,000		10,000		10,000		10,000		
ACQUISITION OF LANDS, SUPERIOR NATIONAL FOREST	250,000		250,000		-250,000	1,750,000	2,000,000	-2,000,000																			
COOPERATIVE RANGE IMPROVEMENTS	700,000		700,000	700,000			700,000		700,000		700,000		700,000		700,000		700,000		700,000		700,000		700,000		700,000		
TOTAL APPROPRIATIONS REQUIRED FOR NATIONAL FOREST PROGRAM ..	163,960,000	3,138,200	167,098,200	481,060,000	313,961,800	55,353,800	222,452,000	51,514,000	273,966,000	53,460,000	327,426,000	53,497,000	380,923,000	53,287,000	434,210,000	9,687,000	443,897,000	9,689,000	453,586,000	9,683,000	463,269,000	9,670,000	472,939,000	8,121,000	481,060,000		

1/ F. Y. 1963 through F.Y. 1972 amounts reduced by \$1,050,000 for line item of "Rehabilitation of burns."

2/ Reduced \$10,000 for special acts.

NATIONAL FOREST DEVELOPMENT PROGRAM-ROADS AND TRAILS-FISCAL YEARS 1963-1972

REGION	STATE	CONSTRUCTION AND RECONSTRUCTION												PROGRAM COST										
		TIMBER ROADS					RECREATION		OTHER			TOTAL ROADS		TRAILS		CONSTR. & RECONSTR.			MAINTENANCE			TOTAL		
		PURCHASER		GOV'T.*		TOTAL	GOV'T.		GOV'T.			GOV'T.*		GOV'T.		PURCH.	GOV'T.	TOTAL	PURCH.	GOV'T.	TOTAL	PURCH.	GOV'T.	TOTAL
		Miles	\$1,000	Miles	\$1,000	Miles	\$1,000	Miles	\$1,000	Miles	\$1,000	Miles	\$1,000	Miles	\$1,000	THOUSANDS OF DOLLARS	THOUSANDS OF DOLLARS	THOUSANDS OF DOLLARS	THOUSANDS OF DOLLARS	THOUSANDS OF DOLLARS	THOUSANDS OF DOLLARS	THOUSANDS OF DOLLARS	THOUSANDS OF DOLLARS	THOUSANDS OF DOLLARS
1	Idaho	2,610	28,715	888	37,119	3,498	65,834	160	4,400	958	17,252	2,006	58,771	612	2,259	28,715	61,030	89,745	3,500	11,673	15,173	32,215	72,703	104,918
	Montana	3,350	36,840	1,147	47,627	4,497	84,467	300	8,145	919	16,548	2,366	72,320	1,148	4,237	36,840	76,557	113,397	4,490	14,641	19,131	41,330	91,198	132,528
	S. Dakota	-	-	-	-	-	-	19	285	21	352	40	637	-	-	-	637	637	-	123	123	-	760	760
	Washington	380	4,185	130	5,409	510	9,594	49	1,426	58	1,056	237	7,891	77	284	4,185	8,175	12,360	510	1,563	2,073	4,458	9,738	14,433
	Total	6,340	69,740	2,165	90,155	8,505	159,895	528	14,256	1,956	35,208	4,649	139,619	1,827	6,780	69,740	146,399	216,139	8,500	28,000	36,500	78,240	174,399	252,639
2	Colorado	456	3,649	967	19,800	1,423	23,449	535	11,779	2,618	47,123	4,120	78,702	582	2,140	3,649	80,842	84,491	1,008	9,368	10,377	4,685	90,210	94,868
	Nebraska	2	14	4	77	6	91	2	46	10	183	16	306	2	8	-	314	328	4	36	40	18	351	369
	S. Dakota	47	379	100	2,055	148	2,434	56	1,223	272	4,891	428	8,169	60	222	379	8,392	8,770	105	972	1,077	484	9,364	9,847
	Wyoming	128	1,022	271	5,545	398	6,567	150	3,298	733	13,197	1,154	22,040	164	600	1,022	22,639	23,662	283	2,624	2,906	1,304	25,262	26,567
	Total	633	5,064	1,342	27,477	1,975	32,541	743	16,346	3,633	65,394	5,718	109,217	808	2,970	5,064	112,187	117,251	1,400	13,000	14,400	6,464	125,187	131,651
3	Arizona	403	1,830	466	11,697	869	13,527	496	10,256	1,184	22,387	2,146	44,340	251	928	1,830	45,268	47,098	1,225	5,880	7,105	3,055	51,148	54,203
	New Mexico	512	1,830	594	11,698	1,106	13,528	244	6,024	822	13,721	1,660	31,443	250	927	1,830	32,370	34,200	1,275	6,120	7,395	3,105	38,490	41,595
	Total	915	3,660	1,060	23,395	1,975	27,055	740	16,280	2,006	36,108	3,806	75,783	501	1,855	3,660	77,638	81,758	2,500	12,000	14,500	6,160	89,638	95,798
	California	24	246	48	1,168	72	1,414	34	753	34	599	116	2,520	38	140	246	2,660	2,906	74	144	218	320	2,804	3,124
	Colorado	-	-	1	26	1	26	5	110	2	36	8	172	12	44	-	216	216	-	18	18	-	234	234
4	Idaho	1,304	13,042	1,110	30,942	2,414	43,984	586	12,903	716	12,893	2,412	56,738	941	3,482	13,042	60,220	73,262	3,927	9,218	13,145	16,969	69,438	86,407
	Nevada	-	-	13	290	13	290	190	4,173	401	7,222	604	11,685	136	502	-	12,187	12,187	-	1,158	1,158	-	13,345	13,345
	Utah	282	2,816	351	9,134	633	11,950	894	19,666	581	10,460	1,826	39,260	452	1,688	2,816	40,948	43,764	848	5,582	6,430	3,664	46,530	50,194
	Wyoming	150	1,496	229	5,784	379	7,280	184	4,041	103	1,856	516	11,681	385	1,424	1,496	13,105	14,601	451	1,880	2,331	1,947	14,785	16,932
	Total	1,760	17,600	1,752	47,344	3,512	64,944	1,893	41,646	1,837	33,066	5,482	122,056	1,964	7,280	17,600	129,336	146,936	5,300	18,000	23,300	22,900	147,336	170,236
5	California	5,478	76,689	3,005	105,534	8,483	182,223	1,382	35,932	3,678	66,204	8,065	207,670	1,049	3,900	76,689	211,570	288,259	659	27,915	41,574	90,348	239,485	329,833
	Nevada	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Oregon	12	171	10	306	22	477	-	-	-	-	10	306	-	-	171	306	477	41	85	126	212	391	603
	Total	5,490	76,860	3,015	105,840	8,505	182,700	1,382	35,932	3,678	66,204	8,075	207,976	1,049	3,900	76,860	211,876	288,736	13,700	28,000	41,700	90,560	239,876	330,436
	California	76	1,528	52	1,783	128	3,311	-	12	2	87	54	1,882	50	42	1,528	1,924	3,452	36	182	218	1,564	2,106	3,670
6	Oregon	11,462	192,049	5,489	203,763	16,951	395,812	465	12,694	874	14,729	6,828	231,186	748	2,281	192,049	233,467	425,516	19,386	21,927	41,313	71,435	255,394	466,829
	Washington	4,462	94,423	2,876	101,713	7,338	196,136	242	6,383	292	6,208	3,410	114,304	610	2,897	94,423	117,201	211,624	8,178	10,891	19,069	102,601	128,092	230,693
	Total	16,000	288,000	8,417	307,259	24,417	595,259	707	19,089	1,168	21,024	10,292	347,372	1,408	5,220	288,000	352,592	640,592	27,600	33,000	60,600	315,600	385,592	701,192
	Kentucky	77	140	91	2,228	168	2,368	25	361	155	2,230	271	4,819	15	50	140	4,869	5,009	31	1,374	1,405	171	6,243	6,414
	Maine	7	18	5	176	12	194	5	130	8	218	18	524	12	60	18	584	602	4	144	148	22	728	750
7	N. Hampshire	46	115	43	1,387	89	1,502	20	520	85	1,888	148	3,795	45	240	115	4,035	4,150	25	1,116	1,141	140	5,151	5,291
	Pennsylvania	55	118	53	1,486	108	1,604	56	1,230	77	1,238	186	3,954	45	125	118	4,079	4,197	26	1,338	1,364	144	5,417	5,561
	Vermont	45	114	75	1,660	120	1,774	20	520	62	1,362	157	3,542	50	175	114	3,717	3,831	25	738	763	139	4,455	4,594
	Virginia	136	247	170	3,777	306	4,024	41	593	216	2,972	427	7,342	20	85	247	7,427	7,674	54	2,940	2,994	301	10,367	10,668
	W. Virginia	89	158	96	2,379	185	2,537	24	408	171	2,476	291	5,263	32	80	158	5,343	5,501	35	2,350	2,385	193	7,693	7,886
8	Total	455	910	533	13,093	984	14,003	191	3,762	774	12,384	1,498	29,239	219	815	910	30,054	30,964	200	10,000	10,200	1,110	40,054	41,164
	Alabama	31	157	205	3,169	236	3,326	5	122	43	688	253	3,979	-	-	157	3,979	4,136	69	1,200	1,269	226	5,179	5,405
	Arkansas	158	776	609	10,776	767	11,552	23	669	82	1,320	714	12,565	-	-	776	12,565	13,341	142	4,350	4,492	918	16,915	17,833
	Florida	4	20	181	3,820	185	3,840	30	676	26	410	237	4,906	-	-	20	4,906	4,926	53	2,520	2,573	73	7,426	7,499
	Georgia	143	724	180	4,724	323	5,448	45	1,023	47	750	272	6,497	13	49	724	6,546	7,270	52	1,680	1,732	776	8,226	9,002
9	Louisiana	21	105	157	3,605	178	3,710	8	175	31	500	196	4,280	-	-	105	4,280	4,385	33	1,570	1,603	138	5,850	5,988
	Mississippi	80	403	200	4,903	280	5,306	8	175	19	300	227	5,378	-	-	403	5,378	5,781	13	2,310	2,323	418	7,688	8,104
	N. Carolina	115	584	241	5,584	356	6,168	83	1,837	44	700	368	8,121	86	309	584	8,430	9,014	32	2,500	2,532	616	10,930	11,546
	Oklahoma	-	-	40	1,500	40	1,500	1	22	10	160	51	1,682	-	-	-	1,682	1,682	11	250	261	11	1,922	1,933
	S. Carolina	69	348	190	1,848	259	2,196	14	286	27	435	231	2,569	-	-	348	2,569	2,917	21	1,230	1,251	369	3,799	4,168
10	Tennessee	24	121	205	4,121	229	4,242	64	1,410	46	741	315	6,272	36	132	121	6,404	6,525	42	1,430	1,472	163	7,834	7,997
	Texas	135	662	205	2,962	340	3,624	9	185	44	700	258	3,847											

Development program for the national forests—Road and trails, fiscal years 1963-72—Continued

[Dollars in thousands]

Region and State	Total Government construction, reconstruction, and maintenance			
	Amount	Percent of national forest program	Percent of region program	Average annual maintenance expense
Region 6:				
California.....	\$2,106	.2	.6	
Oregon.....	255,394	18.3	66.2	
Washington.....	128,092	9.2	33.2	
Total.....	385,592	27.7	100.0	
Region 7:				
Kentucky.....	6,243	.4	15.6	
Maine.....	728	.1	1.8	
New Hampshire.....	5,151	.4	12.9	
Pennsylvania.....	5,417	.4	13.5	
Vermont.....	4,455	.3	11.1	
Virginia.....	10,367	.7	25.9	
West Virginia.....	7,693	.6	19.2	
Total.....	40,054	2.9	100.0	
Region 8:				
Alabama.....	5,179	.4	6.3	
Arkansas.....	16,915	1.2	20.7	
Florida.....	7,426	.5	9.1	
Georgia.....	8,226	.6	10.1	
Louisiana.....	5,850	.4	7.2	
Mississippi.....	7,688	.6	9.4	
North Carolina.....	10,930	.8	13.4	
Oklahoma.....	1,932	.1	2.4	
South Carolina.....	3,799	.3	4.7	
Tennessee.....	7,834	.6	9.6	
Texas.....	5,807	.4	7.1	
Total.....	81,586	5.9	100.0	
Region 9:				
Illinois.....	2,260	.2	2.9	
Indiana.....	1,613	.1	2.0	
Iowa.....				
Michigan.....	23,995	1.7	30.5	
Minnesota.....	24,885	1.8	31.7	
Missouri.....	7,670	.5	9.8	
North Dakota.....				
Ohio.....	1,087	.1	1.4	
Wisconsin.....	17,073	1.2	21.7	
Total.....	78,583	5.6	100.0	
Region 10:				
Alaska.....	29,728	2.1	100.0	
Territorial region:				
Puerto Rico.....	2,000	.1	100.0	
Grand total.....	1,393,979	100.0	100.0	

Senator METCALF. Yes.

Mr. BAKER. We will be happy to do that, sir.

Senator METCALF. Now I just want to go into one more thing.

Mr. Baker, through association in the last 10 years you have known of my interests in recreational development, and I am sure that some of you remember that I went down to see Mr. McArdle while building a road—the figure 8 highway—in western Montana. You do not need to write this down. This was a recreational road. And he asked me, “Congressman”—I was a Member of Congress then—“can you say this is needed for insect control?”

And I said, "No."

"Is this an important logging area?"

"No," I said.

He said, "Well, is it recreational?"

I said, "Yes."

So he provided that region 1 would build the road, put most of the funds in region 1 for that year, which seemed to me to be completely out of balance.

Now, I want to see timber access roads built, and I commend the Department for coming up here and recommending an increase of \$10 million for timber access roads in order to harvest the timber that we need in Montana.

Mr. Chairman, I would like to put in the record a paragraph from the report of the Chief of the Forest Service on "Timber Salvage by Advance Roding."

Senator McNAMARA. Without objection it will be inserted at this point.

(The material referred to follows:)

TIMBER SALVAGE BY ADVANCE RODING

Current mortality on some 3 million acres of old-growth Douglas-fir timberlands in the Pacific Northwest approximates 1 billion board feet annually. Constructing roads well in advance of final harvest is economically practicable in many stands, according to a newly completed study. Interest, maintenance charges, and depreciation on the capital outlay for such roads can be met in most cases from returns obtained from timber salvage. The principal factors affecting net returns from advance roding include timber quality and degree of stand decadence, species composition, and the costs of salvage logging as affected by accessibility and salvable volume.

Senator METCALF. I also want to see access recreational roads built in areas where timber access roads are not the proper roads to build or are not available. Do you have any program for the development of the recreational needs, as Mr. Nelson has pointed out, that are growing so rapidly in connection with forests?

Mr. BAKER. Yes, sir; we do. And we have reported favorably on such proposals.

I will ask Mr. Nelson to go into detail on this if you would like at this point.

Mr. NELSON. The forest roads and development fund, of course, is available for all of the multiple uses. We do construct a good many roads that are suitable for development of individual camping grounds or recreational areas. We can furnish some figures as to what part of the national program is for each one of those various types of uses. About 17 percent of the road and trail part of the national forest program is based upon needs for roads for recreation.

Senator METCALF. I notice that you recommended that subsection 3 be amended by increasing the sum of \$10 million to \$20 million for the fiscal year ending June 30, 1963, but you made no recommendation for future years. Do you think that merely an increase of \$10 million in the next fiscal year will take care of the access road program?

Mr. BAKER. On page 5 of Mr. Nelson's statement he points out that—

For the fiscal years 1964 and 1965 authorizations of \$70 million and \$85 million, respectively, will be necessary to keep the program on schedule and provide the access needed to harvest the timber cut projected for these years and to meet critical needs for fire and recreation roads.

Senator METCALF. Will it keep it on schedule?

Mr. BAKER. That is our understanding, yes, sir. That is the projection that has been made. Now, whether this is an adequate projection or not is certainly a debatable question.

Mr. NELSON. Let me say one more thing about recreational roads if I may.

Our national forest program does not consider the type of recreational highways that Congressman Harris spoke of here today. There are a number of those types of high-grade recreational roads for scenic and recreation purposes that were not included in our national forest program.

Senator METCALF. I understand.

Mr. BAKER. I might also say, Senator Metcalf, and Mr. Chairman, as both of you are fully aware, both the President of the United States and the Secretary of Agriculture have put very high emphasis on priority on carrying out the recommendations of the Outdoor Recreational Resources Review Commission, among which is the much broader access by our increasing urban population to outdoor recreational facilities, which means adequate roads and highways to make that possible.

Senator METCALF. I was impressed by the testimony of the Senator from Oklahoma and that of Congressman Harris. And I see in the audience waiting to testify Senator Gore of Tennessee, who is a former member of this committee and who conducted hearings out West. He is going out to open up a road that was built, recreational road, and a road that is not covered by the usual pattern, between Montana and Idaho later this month. And as I understand it, money was provided from public lands highway funds at that time for that road. Would that be a fund that would be available for the national forest recreational road that Congressman Harris testified about?

Mr. NELSON. You are correct, Senator, there was some money used on that road from public lands highway funds. There was also forest highway funds used on it. That is the type of money that Congressman Harris spoke of today.

Yes, this is a possibility for this recreational road in Oklahoma and Arkansas. That has to be spent on public lands. It is not available for highways that are constructed on private lands.

Senator McNAMARA. Thank you very much, gentlemen.

Senator Miller, do you have any questions or comments?

Senator MILLER. Just one question, Mr. Chairman.

Mr. Baker, on page 2 of the bill, line 17, subsection 3, the bill provides for an additional \$10 million for fiscal 1963. That is in addition to how much?

Mr. BAKER. This raises \$40 to \$50 million.

Senator MILLER. You are proposing that it be raised from \$40 to \$50 million?

Mr. BAKER. Yes, sir.

Senator MILLER. Now, on page 3 of Mr. Nelson's testimony he refers to the development program for the national forests. I was not privileged to be a member of the committee at the time this program came out, so I hope you will forgive my question if it sounds somewhat basic.

Is the program set forth in terms of proposed expenditures by year?

Mr. BAKER. This is a broad program covering the projected uses at management levels of all the national forest resources as a result of the interest of various congressional committees that were set up.

Senator MILLER. Do you have actual projected detailed expenditure figures?

Mr. NELSON. Yes, we do.

Senator Hayden of the Appropriations Committee has asked for that and it has been presented to Senator Hayden.

Senator MILLER. What does that show for 1963?

Mr. NELSON. It shows for 1963 \$75 million. But this gets a little complicated because we have another road fund which is called the 10-percent fund. And that was estimated to be \$11,700,000, which then would require from the appropriations, \$63,170,000.

Senator MILLER. And in 1964?

Mr. NELSON. In 1964 the total estimate was for about \$96 million. The estimated 10 percent was about \$13 million, requiring a need to meet the full program of about \$82 million.

Senator MILLER. Then as I follow the figures you have given us, even if we added \$20 million to the \$40 million for 1963, we would still be some \$3 million short?

Mr. NELSON. Yes.

Senator MILLER. And for fiscal 1964, if they authorized \$70 million, we are going to be about \$13 million short?

Mr. NELSON. Approximately.

Now, we should say that the rest of the program has not been fully financed either. What we are saying here is if we get the other \$20 million here now, it will put the road program in balance with the rest of the program.

Senator MILLER. But with respect to fiscal 1964, we are not going to be in balance, are we?

Mr. NELSON. That depends on whether the rest of the program is fully financed.

Senator MILLER. Well we are certainly going to be short, as far as the scheduled program, in this development program as far as the National Forest Service is concerned, are we not?

Mr. NELSON. Yes, as far as the road development program, it would be short of the proposed program. Yes.

Senator MILLER. Well, why would you recommend enactment of this bill providing for only \$70 million if it is going to be \$13 million short?

Mr. BAKER. Senator, as you know, there are additional elements that must always go into the fiscal recommendations with respect to all worthy and meritorious proposals. This is true of all of the programs of Government. The decision was made that this was the amount that could be allocated for this purpose.

Senator MILLER. I am sorry, will you repeat the last sentence?

Mr. BAKER. The decision is that this is the amount that can be allocated to this purpose based on both the meritorious considerations of this proposal, and the framework of the national overall budget and other claims on the budget itself.

Senator MILLER. At this time?

Mr. BAKER. Yes, sir. This does not foreclose further exploration and study under what might be the then status of fiscal affairs a year from now, 2 years from now, or 10 years from now.

Senator MILLER. Well, is it possible that a new bill would come in next year which would read about like this one except for starting on line 17 it would say for forest development roads and trails an additional \$13 million for the fiscal year ending June 30, 1964?

Mr. BAKER. How much did you say?

Senator MILLER. \$13 million. We have been talking about a shortage here because, as I understood Mr. Nelson, under the program scheduling \$83 million would be required for fiscal 1964, whereas only \$70 million is being authorized in this bill. And I am wondering if in view of what you have just said we might expect another bill next year which would ask for \$13 million additional.

Mr. BAKER. This is possible, sir, but not predictable at this time. As of now it will appear that our recommendation is the appropriate one.

Mr. NELSON. There is one other thing we might say about that.

I pointed out, in my testimony, that the timber operators build certain roads, paid for through the timber-appraisal system. When we are not up to our full amount of roads that we think the Government should build, we then have to require the operators to build more by the timber-sale procedure than we would otherwise. And that is how we stay on top of the timber-sales business, without having the full authorization.

Senator MILLER. I appreciate that comment, but I must say that at this point I am a little concerned about what appears to be the lack of firmness that exists in this development program for the national forests, as far as expenditures are concerned. Now am I wrong in my reaction to this? Is this just kind of a rough estimate, or is it supposed to be a pretty firm program?

Mr. BAKER. No, sir; this is a firm program, based on a projection as to what would be a proper and good thing to do in connection—in considering the national forest principles, goals, and purposes. It must, however, as time goes along, be related also to the national fiscal structure and the budget structure. So that it is like all plans; if it is a good plan it is flexible enough to sit each year as it comes along instead of being fixed on the basis of past known facts, disregarding new facts that may come into the picture. You would not insist, sir, that we draw a line through the next three centuries and insist that, based on current knowledge, we follow that fixed pattern even though we do possess knowledge that might indicate a better way of carrying out something. It is only to this extent that I am suggesting this is a flexible project, or document, not in the sense that it is not a firm base, firm set of figures based on that knowledge.

Senator MILLER. Perhaps I can illustrate this point by asking you whether or not you, or someone in your office, testified before this committee a year ago, for example, that the \$40 million which was in the authorization bill for 1963 was, at that time, your recommendation, even though it fell short by some \$23 million, or \$22 million if I follow Mr. Nelson's figures correctly, the schedule in the development program of the national forests?

Mr. BAKER. We can provide that for the record; yes, sir.

Senator MILLER. Sir?

Mr. BAKER. We could provide that for the record; yes, sir. I do not have last year's hearings before me.

Senator MILLER. Well, might I ask that that be supplied?

Senator McNAMARA. Without objection it will be provided for the record in answer to the Senator's request.

(The information referred to follows:)

ANSWER TO SENATOR MILLER'S QUESTIONS

The \$40 million for fiscal year 1963, referred to by Senator Miller, was authorized in the Federal-Aid Highway Act of 1960. Hearings on this were held in 1960. The Department of Agriculture made no recommendation regarding the authorization. The 10-year development program for the national forests was submitted to the Congress on September 21, 1961. It, therefore, was not available for reference at the time of the hearing.

Senator MILLER. Thank you very much.

Senator METCALF. Will the Senator from Iowa yield?

Senator MILLER. Yes, indeed.

Senator METCALF. I think Mr. Nelson brought out a very important point when he said if there is a deficit it can be taken care of by this business of appraisals and by the private operators building the roads. And that is just what we are trying to get away from. The roads that have been built by the lumber operators are inadequate. The roads that the lumber operators build require that they have separate machinery, so that small operators do not have an opportunity to get in and bid on small plots. And they are not used for access to recreational areas. And of course we need access roads to tap the most distant areas sometimes when the timber is maturing so we have proper conservation and proper harvesting. And we are trying to get away from all that. So it is no answer to tell us here today that, well, if we do not have enough money for the access-roads program we can go back to the old system that has proven so unsatisfactory and inefficient.

Senator McNAMARA. Thank you very much, gentlemen.

Senator MILLER. Mr. Chairman?

Senator McNAMARA. Go right ahead.

Senator MILLER. With respect to that inclusion in the record, might I request that that be included just prior to the comments of the Senator from Montana?

Senator McNAMARA. I am sure the record will reflect that is the proper place for the insertion because that was the order in which it came up.

Thank you again, gentlemen.

Mr. BAKER. Thank you, Mr. Chairman.

Senator McNAMARA. Now we have several distinguished Senators who have been waiting for quite a while and we want to hear from them at this time. I hesitate to make a choice between two of our great States in calling on these representatives of Tennessee and North Carolina, but since the witness list reflects that the State of Tennessee comes before the State of North Carolina, I will fall back on the list here, and ask the distinguished Senators from Tennessee to proceed in their own manner.

STATEMENT OF HON. ESTES KEFAUVER, U.S. SENATOR FROM THE
STATE OF TENNESSEE

Senator KEFAUVER. Mr. Chairman and colleagues of the committee, I am very proud to be associated with my distinguished colleague, Senator Gore, and our distinguished colleagues, the Senators Ervin and Jordan, in sponsorship of an amendment to S. 3136, which is for the authorization of building a road from Tellico Plains, Tenn., to Robbinsville, N.C., opening up the largest area of natural forests east of the Mississippi, for the attraction and enjoyment of the people of this Nation. This has been much discussed, has been worked out, and has received a most favorable report from the Forest Service. And this is a matter of great importance to all of us, and to the Congressmen from both States who are interested and who have filed bills.

I have here a summary of some facts about this project, and also a statement which I would like to have treated as read in the record at this point.

Senator McNAMARA. Without objection it is so ordered.
(The summary and statement referred to follow:)

OUTLINE FOR SENATOR KEFAUVER FOR USE AT HEARING BEFORE SENATE PUBLIC
WORKS COMMITTEE ON THE CHEROKEE ROAD (TELICO PLAINS TO ROBBINS-
VILLE, N.C.)

Attached hereto is a copy of a statement I have prepared for you to submit for the record. It contains a full statement of the facts on the road. Summarized briefly, the facts are:

1. Length of road is approximately 50 miles, from Tellico Plains, Tenn. to Robbinsville, N.C.
2. The road runs through the Cherokee Forest in Tennessee and the Nantahala National Forest in North Carolina.
3. It would cost about \$5 to \$6 million.
4. You introduced an amendment along with Senators Gore, Irvin, and Jordan (attached hereto) to the highway bill to authorize this money for the road.
5. The road is needed because the area of national forest through which it runs is presently inaccessible and contains mountains, streams, lakes, and other fine tourist and campers attractions. These natural wonders go largely unappreciated because people can't get to them.
6. The cost of the road would be paid back to the Government in increased gasoline and oil taxes on the traveling public.
7. The Forest Service, in just the last week or two, has issued a favorable survey report on the project in which they say it is feasible and desirable.
8. This is the area which has been publicized by the use of the "Wagon Train" every year in early July. Dozens of covered wagons and horsemen travel the route into the Cherokee and Nantahala Forest.
9. The witnesses and congressional supporters are:
 - (1) W. E. Michael, Tennessee.
 - (2) Herbert Bates, Tennessee.
 - (3) Charles Hall, Tennessee.
 - (4) Ted Jordan, North Carolina.
 - (5) Wallace Hyde, North Carolina.
 - (6) Senators Gore, Irvin and Jordan (cosponsors with you of the legislation).
 - (7) Congressman Roy Taylor of North Carolina, who introduced a similar bill on the House side.

[S. 3136, 87th Cong., 2d sess.]

AMENDMENT Intended to be proposed by Mr. KEFAUVER (for himself, Mr. GORE, Mr. ERVIN, and Mr. JORDAN) to the bill (S. 3136) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, viz: On page 3, beginning with line 10, strike out all through line 12 and insert in lieu thereof the following:

(8) For public lands highways, \$5,500,000 for the fiscal year ending June 30, 1964, of which \$2,500,000 is for a highway between Tellico Plains, Tennessee, and Robbinsville, North Carolina, and \$5,500,000 for the fiscal year ending June 30, 1965, of which \$2,500,000 is for such highway between Tellico Plains, Tennessee, and Robbinsville, North Carolina.

STATEMENT OF SENATOR ESTES KEFAUVER (DEMOCRAT, TENNESSEE) FAVORING THE CONSTRUCTION OF A ROAD FROM TELLICO PLAINS, TENN., TO ROBBINSVILLE, N.C.

Mr. Chairman, it is indeed a pleasure to appear before the Public Roads Subcommittee of the Public Works Committee this morning in behalf of a project which is very important to me and to the people of my State, Tennessee, and our neighbor, North Carolina. As a matter of fact, the project to which I refer, a road connecting Tellico Plains, Tenn., and Robbinsville, N.C., would benefit through a large increase in tourists a wide section of the southeastern part of the United States. The implications for the tourist industry, especially the hotels and motels, gas and service stations, restaurants and sports equipment stores, would be beneficial I am sure in such adjoining States as Georgia, Kentucky, and South Carolina, as well as to the two terminal States, Tennessee and North Carolina.

The reason I have such confidence in the potential economic and recreational benefits of the proposed road is that it would provide access into the largest area of national forests east of the Mississippi, an area that is largely undeveloped, inaccessible, and unvisited by America's tourists, campers, and outdoor recreation seekers. This phenomenon is all the more unusual because this vast and unused land is just south of the Great Smoky Mountain National Park, which today has become one of the most overcrowded tourist areas of the Nation. I am told that on a Sunday afternoon the traffic in and around the Great Smoky Mountain National Park is so dense that many people give up the idea of a trip to the park rather than become entangled in the long lines of automobiles and the traffic jams.

To me, it seems quite obvious that under such circumstances any reasonable alternative to these crowded park conditions should be carefully explored and developed, if it proves to be economically justifiable and otherwise feasible.

It is also obvious to me that the road we are discussing this morning is just such a feasible project, from both the economic and engineering standpoint.

This conclusion of feasibility is not merely the view of the congressional representatives of the areas affected, or the local people. The Department of Agriculture, Forest Service, in a preliminary reconnaissance report entitled "Cherokee and Nantahala National Forests, Tellico-Robbinsville Highway in Tennessee and North Carolina" has done a beautiful job of outlining, describing, and endorsing the road in its entirety. This report will be submitted by the other witnesses for the record. I merely wish to point out in passing that the Forest Service has given the project a most enthusiastic and comprehensive endorsement. This, I believe, should be carefully weighed by the subcommittee in considering the benefits of this road in comparison with the costs involved.

I would also like to mention to the subcommittee that this most important road is not a new or recent idea either to the congressional delegation or the local people assembled here today. This road has been discussed, planned, and promoted for 5 or 6 years, and many of these witnesses here today have been in touch with me for several years as we planned and worked together to build our case for the approval of this fine roadway. Earlier this year, when the Forest Service budget was under consideration by the Senate Appropriations Committee, many of the same witnesses here today testified in favor of the project and later, in its report, the Appropriations Committee noted that "a strong and convincing presentation was made to the committee for funds to

construct a road linking the Cherokee National Forest in North Carolina. Lack of authorization prevented committee consideration of the proposal. It is the committee's hope that a request for authorization will be placed before appropriate legislative committees for attention."

To provide the needed authorization, on May 9, 1962, I introduced along with Senators Gore, Ervin, and Jordan an amendment to S. 3136, the highway bill, to authorize the appropriation of \$2½ million in fiscal year 1964 and an identical amount in fiscal year 1965, for the construction of the Tellico Plains-Robbinsville Road.

With the hearing on this amendment this morning, all the preliminary work-planning, hearings, survey reports and legislation which has been going on for so long, has finally culminated. The authorization legislation is before you. Highly competent witnesses will explain the project in detail and as previously mentioned, the feasibility report of the independent and disinterested Forest Service speaks in favor of the road.

All that remains is for me to ask your most careful and sympathetic consideration of this unusual highway project which will open up vast new areas of beautiful, primitive forests, mountains, streams, and lakes for millions of Americans seeking wholesome outdoor recreation.

Senator KEFAUVER. The Governor of Tennessee has designated Mr. Herbert Bates, chief urban engineer, Tennessee Department of Highways, to testify on behalf of the State of Tennessee in this matter. And with Mr. Bates, from Tennessee, we have Mr. W. E. Michael, who has been appointed by the Governor, and who is head of a mission. They have been very active putting on the "wagon-train" across the mountains for many, many years. And, Mr. Charles Hall from Tellico Plains is also here. He has been very interested in this. And this is in my native county insofar as the Tennessee end of it is concerned.

We do hope this committee will act favorably on this bill. This is entirely a nonpartisan matter.

Mr. Michael, I will say to my colleague from Iowa, is one of my best friends, but he is a leading Republican down there. Everyone is interested in this very fine, justifiable project, and I hope it will be approved.

Senator McNAMARA. Thank you.

Senator Gore, won't you be seated?

STATEMENT OF HON. ALBERT GORE, U.S. SENATOR FROM THE STATE OF TENNESSEE

Senator GORE. Thank you, but I might talk too long.

Senator McNAMARA. All right, we will be glad to have you stand.
[Laughter.]

Senator GORE. I concur with the statements of my senior colleague. I would like to add thereto that this proposed road, or trail, would pass through one of the most beautiful mountainous national forests that this or any other country has. This is an area which more people visit, by the hundreds of thousands, than the Yellowstone National Park. The Great Smoky Mountain area is within a day's drive of one-half the people of the United States. Perhaps that is one reason why the Great Smoky Mountain National Park area has more visitors now than any other of our national park areas by far. This would open access to an area of unexcelled beauty.

I would remind the committee that when it was my privilege to serve as a member of this subcommittee, and its chairman, I, as other members did, lent a sympathetic ear to programs of development in

the national interest. And if it is in the national interest, of course it is in the local interest, and vice versa. I will not trespass further on the time as there are witnesses here who know far more about the details of the proposal than I.

I thank the committee.

Senator McNAMARA. I want to thank you, Senator Gore, for being here and presenting the people from your State. And, of course, I do not want to miss this opportunity to say that when you were in my position here as chairman of this Subcommittee on Roads, I was one of the members of your committee and I profited a great deal from your leadership and guidance.

Senator GORE. Thank you very much. I wish I could have a vote here right now. You cast my vote. [Laughter.]

Senator McNAMARA. Thank you.

Senator Metcalf?

Senator METCALF. Mr. Chairman, Senator Gore came out to western Idaho when he was chairman of this subcommittee, and made a break through on the Lewis and Clark Highway, that Lewis and Clark traversed more than 150 years ago. And this year, as I mentioned a few moments ago, Senator Gore is going out to open—to help open that road. I know that Senator Church and I are very, very grateful for this assistance in accomplishing that, and he certainly has my assistance in accomplishing his aims.

Senator GORE. Thank you very much.

Mr. Chairman, this road to which Senator Metcalf has referred is through the Lolo Pass in the Bitterroot Mountains. It connects Missoula, Mont., with Lewiston, Idaho. I traveled part of it by foot and automobile and viewed it by plane. It saves, Senator, as much as 500 miles of travel. People were having to go 200 miles to vote. And here was a natural passage through the mountains. Why it had been avoided for 150 years, why the development had been avoided for 150 years, I cannot see. It is now going to be open, with the support of Senator Metcalf, Senator Mansfield, Senator Church, and the late Senator Dworshak.

And this opens up an area for the entire Northwest, Oregon and Washington being equally interested. So I am happy that this development has come about and I appreciate your reciprocation.

Senator McNAMARA. Thank you Senator.

Senator MILLER. Mr. Chairman, I might just comment that upon learning from the distinguished senior Senator of Tennessee that his great State is developing into a two-party State, my friendly ears are opened a little wider.

Senator McNAMARA. We will try not to let that prejudice your case. Go right ahead.

Senator KEFAUVER. Yes. However, I want to say, regretfully, the county where Mr. Michael and I come from, where I originally came from, is two party, but from my viewpoint it is predominant the wrong way. [Laughter.]

Senator McNAMARA. Thank you very much.

At this time we will hear from the Senators from North Carolina, who have been very patient, Senators Ervin and Jordan.

STATEMENT OF HON. SAM J. ERVIN, JR., U.S. SENATOR FROM THE STATE OF NORTH CAROLINA

Senator ERVIN. Mr. Chairman and members of the committee, the Office of the Regional Forester for the Southern Region has made a very fine presentation of the whole situation connected with this road; in order that the committee might have the benefit of it I would like to put the statement of the regional forester into the record.

Senator McNAMARA. Without objection it will be inserted in the record at this point.

(The report referred to follows:)

TELlico PLAINS-ROBBINSVILLE HIGHWAY, CHEROKEE AND NANTAHALA NATIONAL FORESTS, TENN. AND N.C.

INTRODUCTION

Public minded individuals in eastern Tennessee and western north Carolina have been ardent supporters for several years of public recreation developments in the area between Tellico Plains, Tenn. and Robbinsville, N.C. In 1936, the Joyce Kilmer Memorial Forest was designated to preserve an area of primitive beauty typical of the southern Appalachians. For the past 4 or 5 years, the Wagon Train has toured this area in early July. Over 100 wagons and approximately 200 horsemen make this trip each year for the purpose of viewing the many scenic attractions available here. The U.S. Forest Service has agreed with local groups on the desirability of this project, but there have been no funds to develop a project of this magnitude.

The proposed Tellico-Robbinsville Road will create an important tourist attraction by opening up large areas having unusual scenic, historical, botanical, and geological significance. Extensive new areas will be made available for camping, picnicking, sightseeing, hunting, and fishing. This project will also boost the economies of local communities already realizing increasing benefits from the recreational resources of the national forests.

Single-track, low standard, access roads presently follow more than half the general location of the proposed route. Even these narrow graded roads attract thousands of visitors each year who come to view the magnificent scenery. Fall color tours are especially popular, attracting people from much of the Southeast. Abundance of deer on the mountain is especially attractive to hunters. This area is one of the best wild boar spots in the United States. The western part of North Carolina offers a large and unusual variety of plants.

Construction of this scenic highway will achieve many of the objectives of the multiple-use program of the Cherokee and Nantahala National Forests by providing access for intensive development of the natural resources involved.

GENERAL DESCRIPTION OF THE ROUTE

The proposed Tellico-Robbinsville Road will extend for approximately 47.8 miles through the Cherokee National Forest in Tennessee and the Nantahala National Forest in North Carolina. Its western terminus will be Tellico Plains, Tenn., and the road will extend in a general easterly course to a junction with Forest Highway No. 37 near Robbinsville, N.C.

The 47.8-mile drive rises from an elevation of 890 feet at Tellico Plains to a maximum height of 4,320 feet at Stratton Gap, where it crosses into North Carolina. From this point, it will descend along a gentle grade through the headwaters of Big Santeetlah Creek, passing through Santeetlah Gap, and then eastwardly across West Buffalo and Big Snowbird Creeks, skirting the shoreline of Lake Santeetlah, to a junction with Forest Highway No. 37 near Robbinsville, N.C.

LOCATION AND EVALUATION CRITERIA

This outstanding scenic route will incorporate the following basic elements:

1. The proposed location follows ridge tops and streams as closely as possible to provide and protect the most scenic attractions.

2. Proximity and access to well-designed vistas and parking facilities for observation of panoramic views or other areas of special interest will receive careful study in determining final road location.

3. Attractive vistas, picnic areas, and campgrounds will be planned and developed along the road where feasible.

4. Intersecting access roads will connect with other recreational attractions on the forests.

5. Provide safe travel at a reasonable rate of speed. Fall colors and spring flowers can be expected to attract several times the normal number of visitors.

6. Provide better access through the areas now famous for bear and boar hunting in both States.

7. Provide clean, natural appearing roadsides free from unsightly commercial signing.

8. Serve to carry out many of the objectives of the national forests' multiple-use program by providing needed access for intensive development of the natural resources involved.

DETAILED DESCRIPTION OF THE ROUTE

Mile 0 Tellico Plains, Tenn.—A mountain town of approximately 1,500 population, situated on the waters of Tellico River where it emerges from a deep gorge into a vast flat plain. This has been the assembly point for the now famous "Wagon Train" that annually leaves Tellico Plains and travels up the Tellico River, across the Unicoi Mountains into North Carolina.

Mile 12, point 1.—Forest Service area No. 29.0 planned for 30 camping and picnic sites.

Mile 14, point 2.—Site of the proposed 120-acre lake on Flats Creek. The stream study and preliminary engineering data is complete for this project. There are 44 acres at this lake site which can easily be developed to accommodate many picnic or camping units.

Mile 15, point 3.—Forest Service area No. 28.0. Proposed 40-acre picnic and campground site.

Mile 15.3, point 4.—At junction with present Forest Service Road No. 35. Turn left—travel 1 mile into the area on the south side of the lake site which consists of 105 acres suitable for forest-type recreational development, either campgrounds or picnic sites. The remainder of the potential area for recreational development around and on the lake consists of 137 acres suitable for camping and picnicking sites, 13 acres for boating sites and 10 acres for swimming.

Mile 15.3.—Turn left on Forest Service Road No. 35 and travel about 4 miles through beautiful forested areas planned for recreational development, past a proposed observation point overlooking Citico Creek Gorge, to one exiting 11-family unit campground point 4a. This site affords good swimming in Citico Creek, and is a picturesque stream-side recreation spot.

Mile 18, point 5.—Turkey Creek Mountain. Good possibilities for built-in observation sites overlooking the Tellico River watershed.

Mile 20, point 6.—Hemlock Knob, elevation 4,019 feet, can be reached by hiking along a trail for about one-quarter mile. This point affords a magnificent view of the surrounding country.

Mile 21, point 7.—Grassy Gap, a beautiful 15-acre campground and picnic site astride Sassafras Ridge.

Mile 22, point 8.—Falls Branch scenic area. This is a 178-acre natural area that has been left as God made it. A short walk among large trees, dense rhododendron and the quiet peace of the wilderness, will lead you to a beautiful horseshoe-shaped waterfall.

Mile 22, point 9.—Access point to a proposed 57-acre lake on the South Fork of Citico Creek.

Mile 23, point 10.—Rattlesnake Rock, a proposed observation site to overlook Jeffrey's Hell and the watershed of Citico Creek. According to legend this country got its name from a party of hunters.

Mile 26.9, point 11.—Stratton Meadows. Situated astride the Unicoi Range, on the Tennessee-North Carolina State line. This meadow will afford 26 acres of excellent picnicking and will be at the junction with the proposed Cherokee Crest Highway. The elevation of this point is about 4,250 feet above sea level.

Mile 30, point 12.—Near the former Bemis logging camp on the upper reaches of Santeethlah Creek. This logging camp is no longer operating but the site could be developed to a limited degree for picnicking. Elevation drops from 4,200 feet at Stratton Gap to 4,000 feet at Bemis logging camp.

Mile 36, point 13.—At Seven Springs Gap. Elevation between points 12 and 13 drops from 4,000 feet to 3,800 feet. Panoramic vistas can be developed, throughout this stretch, overlooking the Santeetlah Creek drainage. From this gap a 1½-mile hike along the Santeetlah-Buffalo Divide will reach Cedar Top Mountain, at elevation 4,008 feet designated as point 14 on the map. This point will afford a wide view of the entire Santeetlah Creek watershed and a great expanse of Santeetlah Lake to the north.

Mile 39.3, point 15.—Santeetlah Gap. The section of road from Cedar Top to Santeetlah Gap may remain on the Santeetlah Creek watershed losing elevation from 3,800 feet at Seven Springs Gap to 2,600 feet at Santeetlah Gap. Considerable recreation potential is tributary to this point both westward up Santeetlah Creek and northward on Forest Service Road No. 416, past Joyce Kilmer Memorial Forest, and on to the mouth of Attooga Branch.

West on Santeetlah Creek are the following sites :

National forest recreation survey, site No. 176 : Santeetlah hunters shelter is a primitive development, occupied by many hunters and fishermen during season.

National forest recreation survey, site No. 163 : Stewart Fields lying along the bank of Big Santeetlah Creek, is planned for future camp and picnic sites.

North of Santeetlah Gap on Forest Service Road No. 416 are the following potential recreation sites within 5 miles :

National forest recreation survey, site No. 143.1 : Rattler Ford is an exceptionally large potential recreation area of 108 developable acres adjacent to lower Santeetlah Creek.

Mile 44, point 16.—Where Long Hungry Branch reaches Lake Santeetlah 27 acres afford excellent potential for camping and picnic sites.

Mile 46.5, point 17.—Snowbird picnic area at present is partially developed for picnicking use. Future development is planned, including swimming which will add to recreational values of this site on the banks of Big Snowbird Creek.

Mile 47.8, point 17a.—The junction of proposed highway with Forest Highway No. 37.

GENERAL DESCRIPTION OF ROUTE NORTH CAROLINA ALTERNATE

Seventeen miles, extending from Stratton Meadows point 11 to Santeetlah Gap. Its location would traverse the headwaters of Johns Branch, cross Pine Ridge and strike the divide between Tennessee and North Carolina, a short distance northeast of Strawberry Knob. From this point, it is possible to bear northeasterly, staying to east of Stratton Bald, striking the summit of Haeo Lead at about elevation 4,850 feet. The road will then continue down Haeo Lead on the northern boundary of Joyce Kilmer Memorial Forest to a point near Rock Creek Knob and running under the knob on the north side at an elevation of about 3,600 feet. From this point, the road will continue down Haeo Lead, losing elevation and swinging southward around the end of the lead across the heads of Rock Creek and Avery Creek and joining Forest Service Road No. 416 at the mouth of Horse Cove Creek. The road would then follow the approximate route of Forest Service Road No. 416 up Santeetlah Creek past the entrance to Joyce Kilmer Memorial Forest to Santeetlah Gap, point 13.

This location is excellent from the scenic standpoint, with the valley floor following along much of its length from 1,000 to 2,000 feet below the proposed roadway. Many spectacular views of Santeetlah Lake and Joyce Kilmer Memorial Forest will be possible along the route. One of the major advantages of this route is that it will cut through one of the largest, most inaccessible blocks of national forest land in the Eastern United States, giving the traveler an unparalleled view of a relatively undisturbed Appalachian forest environment. Probably in no place in the United States is there a larger number of plant species than are growing in the forests of western North Carolina.

DETAILED DESCRIPTION OF ROUTE NORTH CAROLINA ALTERNATE

Point 11 is at Stratton Gap astride the ridge forming the State line between Tennessee and North Carolina at an elevation of about 4,200 feet. Here in a meadow by the gap is located a 26-acre development site that could be used either for camping or picnic facilities.

Point 18 is at Bob Bald where is located at 5,200 feet another national forest recreation survey site No. 172 containing 17 acres that would be ideal for picnic

development. The road location between points 1 and 2 will offer an outstanding view of the upper end of the Santeetlah Creek drainage, giving ample opportunity to develop vistas.

Point 19 is at Stratton Bald at the very head of the Joyce Kilmer Memorial Forest. Here at 5,300 feet, vistas could be developed overlooking the Santeetlah Creek drainage, Santeetlah Lake and the memorial forest. Just south of Stratton Bald is Wolf Laurel Basin containing 250 acres of developable recreation land inventoried as national forest recreation survey site No. 166. The basin is relatively flat with slopes from 0 to 10 percent and has the potential of being developed into one of the largest recreation areas in the Nantahala National Forest. This would probably be developed into the major campground along the scenic route.

Point 20: The road continues along the ridge top from Stratton Bald to Hae Lookout at elevations in excess of 5,200 feet, overlooking the head of the Slick Rock drainage, and to the south, the upper portion of the Joyce Kilmer Memorial Forest. Along this route are numerous opportunities for development of vistas. Hae Lookout will make an exceptional vista point and is inventoried as national forest recreation survey site No. 22.

Point 21: The road continues down Hae Lead from point 20, dropping in elevation to about 3,000 feet at the head of Rock Creek where is located national forest recreation survey site No. 4, containing 35 acres adequate for development of picnic and camping facilities. Between points 20 and 21 are numerous opportunities to develop vistas giving panoramic views of Joyce Kilmer Memorial Forest, Deep Creek drainage, and Santeetlah Lake.

Point 22: Entrance to the Joyce Kilmer Memorial Forest. This forest is one of the outstanding scenic attractions in the southern Appalachians, containing over 3,800 acres of virgin wilderness. At present, due to very poor access, only a relatively small number of persons visit the area. A major increase in visitor use could be expected upon the completion of the proposed scenic route.

In conjunction with this point are numerous recreation opportunities inventoried in the national forest recreation survey within a very short distance. At Horse Cove Creek on the proposed route just north of Joyce Kilmer is the Nantahala Lake recreation area furnishing camping and picnicking. At the mouth of Avery Creek, about 1 mile north of point 22 on Forest Service Road No. 416, is a potential recreation area inventoried for possible development of camping, picnicking, swimming, and boating. This is national forest recreation survey site No. 9.1 and 9.2. Another mile north of site No. 9.1 is site No. 8.1, located at the mouth of Attooga Branch containing 27 acres ideal for camping and picknicking development. Also tributary to point 22 are potential recreation development sites along Forest Service Road No. 407 for boating, swimming, and picnicking. These areas are located from 1 to 2 miles east of point 22 on the shores of Santeetlah Lake.

SECTIONALIZATION OF ROUTE

The proposed road is readily susceptible to stage or section construction. Each complete section will be a valuable and usable link in the system. The most logical breakdown by sections would be as follows:

Section I (6 miles).—From the north end of the new bridge across Tellico River at Tellico Plains on Forest Highway No. 120 (Ball Play Road) to milepost 6 at junction of 120 with Forest Development Road No. 57.

Section II (9.2 miles).—From milepost 6.0 on Forest Highway No. 120 to intersection with the Citico Road near White Oak Flats.

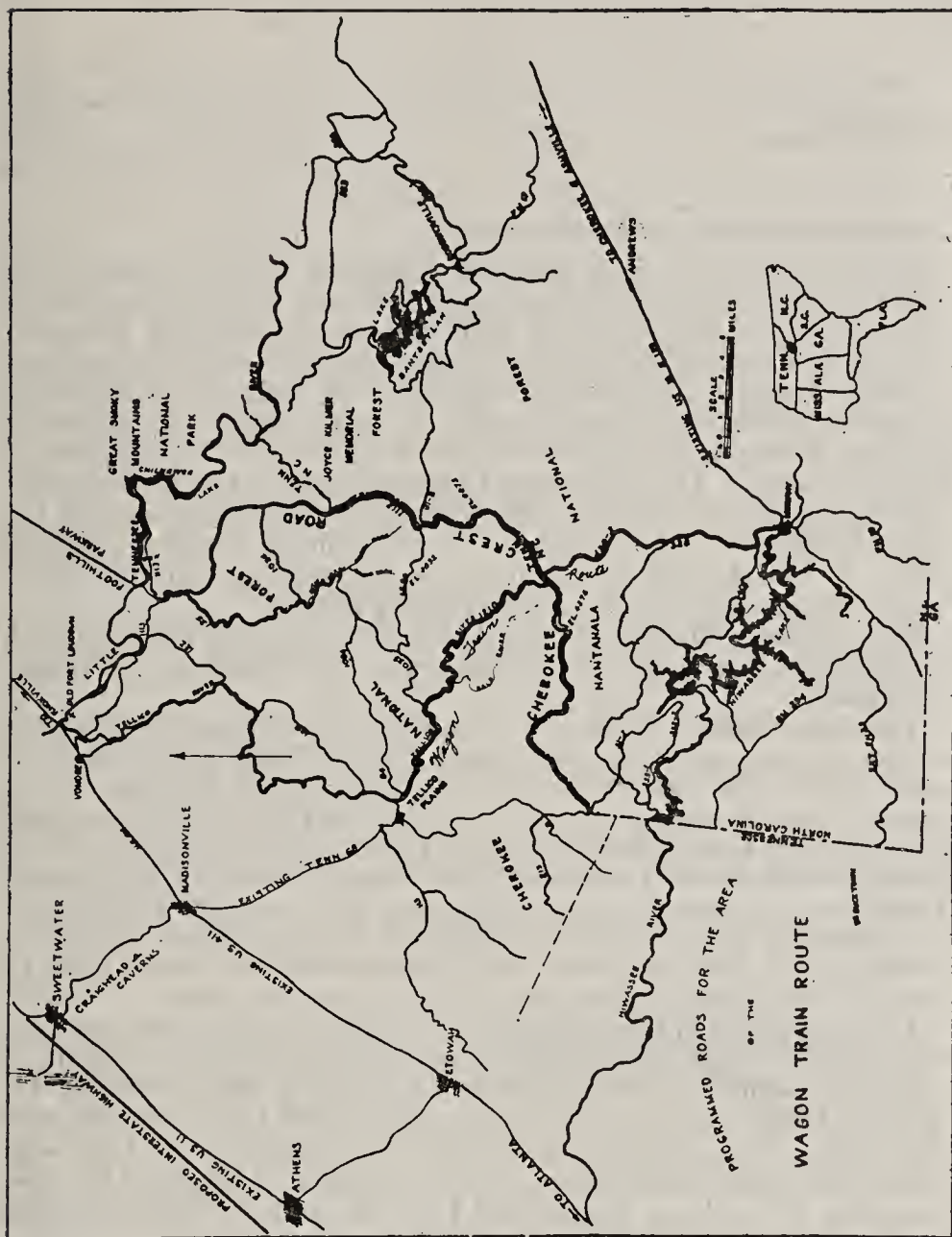
Section III (11.7 miles).—From the Citico Road to Stratton Gap at Tennessee-North Carolina State line.

Section IV (12.4 miles).—From Stratton Gap to Santeetlah Gap.

Section V (8.5 miles).—From Santeetlah Gap to junction with Forest Highway No. 37 now programmed for construction.

Total approximate mileage:

	<i>Miles</i>
Tennessee-----	26.9
North Carolina-----	20.9
Total-----	47.8



Cost estimate

[Thousands of dollars]

Section	Miles	Cost ¹
I.....	6.0	194
II.....	9.2	1,147
III.....	11.7	2,177
IV.....	12.4	2,306
V.....	8.5	797
Total.....	47.8	6,621
Tennessee total.....		3,518
North Carolina total.....		3,103
Total.....		6,621

¹ Includes estimated costs for all engineering services.

Senator ERVIN. Now as Senators Kefauver and Gore have both asserted, this is one of the most rugged and most beautiful sections of the Nation. It is a region of high mountains, beautiful mountain streams, and has perhaps as much virgin timber as can be found anywhere in America. It would provide access to what we call the Joyce Kilmer region in the national forests. It would connect the Cherokee National Forest of Tennessee with the Nantahala National Forest of North Carolina. The road would be approximately 47 miles long, and under the plans which have been developed would climb some of the ridges to afford wonderful views. It would make available camping sites. It would work in harmony in conjunction with the Great Smoky National Park and the Blue Ridge Parkway.

The number of tourists visiting this area has more than doubled, from slightly over 1 million to considerably over 2 million, in a period of 10 years.

The Great Smoky National Park and the Blue Ridge Parkway are unique in one respect, that the State of North Carolina provided virtually all of the right-of-way for the Blue Ridge Parkway which connects near Roanoke, Va., with the Skyline Drive of Virginia, and goes on to the Great Smoky National Park, which is on the border of North Carolina and Tennessee. The States of North Carolina and Tennessee, and some private foundations, purchased the land for the Great Smoky National Park and donated it to the Nation. And this would be an added attraction for the several million people from all areas of the United States who visit this area each year.

I am not going to trespass upon the committee's time because there are others to speak in addition to my colleague, Senator Jordan.

The Governor of North Carolina has sent a representative, Dr. Wallace Hyde, who has a short statement he would like to make. And Dr. Hyde, incidentally, is a native of Robbinsville, or that area, where this road would end in North Carolina. And also Congressman Roy A. Taylor is present and I would like to have him afforded an opportunity to speak as he is the Congressman from this district and present our views in more detail than I have presented them.

I thank the committee for this opportunity to urge this as a most worthwhile project because it will open up an area which is now

practically inaccessible to the people, and a very rugged and beautiful area.

Senator McNAMARA. Thank you very much, Senator.
Senator Jordan?

**STATEMENT OF HON. EVERETT B. JORDAN, A U.S. SENATOR FROM
THE STATE OF NORTH CAROLINA**

Senator JORDAN. Mr. Chairman and members of the committee, I appreciate this opportunity to appear before you on behalf of this project. I do not intend to take but just a minute of your time because I know it is running short.

However, as you know, Senator Ervin and I join with Senator Kefauver and Senator Gore in this amendment, and I am here on behalf of this project because I think it is one of the most worthwhile projects that I know of in our national forests. Because as Senator Ervin has pointed out, and the two Senators from Tennessee, and as will be elaborated on a little bit later by Congressman Taylor, because this is his district, this would open up some of the most beautiful territory that I have ever seen. I think it is a project that is well worth the serious consideration of this committee and I am sure it will have it.

And as Senator Ervin just pointed out, Dr. Hyde, who is a representative of the Governor is here, and I would like to introduce Dr. Hyde to you.

If you will please stand, Dr. Hyde?

And Congressman Taylor, who is right here and who is going to appear, and I think Mr. Ted Jordan is here. He is not the new Jordan that came into the Senate yesterday. He is on the Highway Commission of North Carolina and that is his territory up there. He has a statement to present.

I just want to urge the sympathetic consideration of the subcommittee. Thank you very much.

Senator McNAMARA. Thank you, Senator Jordan. You can be sure your recommendations will be given very serious consideration by the committee.

Congressman Taylor, we understand you have one ear tuned to the call from the House, so we would be glad to hear from you at this time.

**STATEMENT OF HON. ROY A. TAYLOR, A REPRESENTATIVE IN
CONGRESS FROM THE 12TH CONGRESSIONAL DISTRICT OF THE
STATE OF NORTH CAROLINA**

Mr. TAYLOR. Mr. Chairman, I have a written statement which I would like to file.

Senator McNAMARA. It will be made a part of the record at this time.

(The statement referred to follows:)

STATEMENT OF CONGRESSMAN ROY A. TAYLOR OF NORTH CAROLINA

I am pleased to join with my distinguished colleagues from North Carolina and Tennessee in requesting that the Senate Public Works Committee consider favorably an amendment to the Federal Highway Act authorizing \$5 million

for the construction of a road linking the Nantahala National Forest in North Carolina to the Cherokee National Forest in Tennessee.

This road has been sought for many years by our National Forest Service and I am happy to assure the committee that the proposed project enjoys the support of the Governors of North Carolina and Tennessee as well as the congressional delegations and citizens of both States.

Mr. J. K. Vessey, chief forester for the southern region of the U.S. Forest Service, has just completed an excellent preliminary reconnaissance report on the proposed road, which would connect the towns of Robbinsville in North Carolina and Tellico Plains in Tennessee.

In his report, Mr. Vessey states that "the proposed Tellico-Robbinsville road will create an important tourist attraction by opening up large areas having unusual scenic, historical, botanical, and geological significance."

The Forest Service official also reports that with the road, "extensive new areas will be made available for camping, picnicking, sightseeing, hunting, and fishing. This project will also boost the economy of local communities already realizing benefits from recreational resources of the national forests."

This area has the largest concentration of national forest lands east of the Mississippi and is now famous for bear and wild boar hunting and for trout fishing. It includes the Joyce Kilmer Memorial Forest which contains the largest and most spectacular stand of virgin timber found in eastern America.

In western North Carolina and eastern Tennessee we find America's most visited national park—the Great Smoky Mountains National Park which joins the Nantahala National Forest on the northeast. Western North Carolina contains a portion of the Nation's most traveled scenic highway: the Blue Ridge Parkway. Also western North Carolina and eastern Tennessee contain the Nation's most visited national forest.

In 1950, 1,844,000 people visited the Smoky Mountains National Park. By 1961 the number of visitors had increased to 4,726,000, over 2½ times as many. In 1950, 1,996,000 people traveled on the Blue Ridge Parkway. By 1961 this figure had increased to 6,048,000 more than 3 times as many.

A brief look at the figures of the past 10 years shows the staggering increase in visitors to Nantahala and nearby Pisgah National Forests in North Carolina and Cherokee National Forest in Tennessee. These figures reflect only persons who actually used or otherwise took advantage of the forests and do not include persons merely driving through them:

	Pisgah	Nantahala	Cherokee
1961.....	2,625,900	777,700	2,249,700
1960.....	2,376,000	656,700	2,230,000
1952.....	890,490	487,800	1,201,200

You will note that visitations to Pisgah Forest have tripled since 1952; have almost doubled at Nantahala; and have more than doubled at Cherokee.

These figures, I believe, serve to illustrate the tremendously increased interest in America's outdoors.

This great increase in tourist travel has overtaxed and overloaded all existing scenic roads and outdoor facilities in the area. Only last week a newspaper serving residents in the Nantahala Forest quoted one of the local rangers as follows: "Our hardest job is having to turn people away when they beg for just enough room to eat and sleep."

This proposed road which would go through one of the most beautiful sections of America is advocated by the National Forest Service. It would help meet this Nation's need and demand for adequate outdoor recreation facilities.

Mr. TAYLOR. I would like to summarize the statement.

Senator McNAMARA. You may proceed as you see fit.

Mr. TAYLOR. I just want to emphasize the recreational need of this road. Senator Metcalf a few minutes ago spoke of the need for recreational development. This area does have the largest concentration of national forests of anywhere east of the Mississippi River. The road would open up the Joyce Kilmer Memorial Forest, which has

the largest and finest span of virgin timber found east of the Mississippi River.

This area presently is congested with traffic caused by many visitors. As has been pointed out, the Great Smoky Mountain National Park is the most visited national park. Our national forests in that area is also the most visited by tourists of any of the national forests in America.

I would like to give you just a few figures showing you how the tourist demand has increased in the area during the last 2 years. In the Smoky Mountain National Park in 1950 they had 1,844,000 visitors, in 1961 it was 4,726,000, for an increase of two and a half times the number.

And, for the Blue Ridge Parkway, 1,996,000 in 1950, 6,048,000 in 1961. In 11 years there were three times as many visitors.

In the Pisgah National Forest there were 890,000 in 1952 and 2,625,000 in 1961, again 3 times as many visitors, in a 10-year period.

In the Nantahala National Forest there were 487,000 to 777,000, nearly twice as many.

In the Cherokee National Forest it was 1,201,000 to 2,249,000, again nearly twice as many.

The tourists coming into the area have more than doubled during the last 10 years, and we have every reason to expect that this trend will continue. The result has been that the roads, all roads, and especially scenic roads in the vicinity, are greatly overloaded and they are greatly overtaxed. And so are our other tourist facilities during the season of the year. Last week a newspaper in the Nantahala National Forests, near where this road would go, quoted a local ranger as saying, "Our hardest job is having to turn people away when they beg for just enough room to eat and sleep."

Now the only solution to this problem is more roads, to open up more sections of the mountain country and disperse the crowd, and more tourist facilities.

As has been pointed out, this road would go through one of the most beautiful sections of America. It would help meet the Nation's need and the Nation's demand for more adequate outdoor recreational facilities. I believe in the long run this is an investment which would pay its own way, and I believe it is in the national interest.

I appreciate having the opportunity to appear before you gentlemen and discuss this.

Senator McNAMARA. Thank you very much, Congressman Taylor. You can be sure we will give every consideration to this project.

Mr. TAYLOR. Thank you.

Senator McNAMARA. Now we have several other witnesses and we want to hear from all of them, but obviously we are not going to have an opportunity to hear from them at great length from as many as the staff has scheduled. We are going to have to adjourn this hearing at about 12:30, because we do not have permission to sit after the morning session. So from now on will those of you having lengthy statements please file them, and in consideration of the people who are to follow you on the list I hope you will try to cooperate.

I see now we have the Hon. Edwin M. Martin, Assistant Secretary of State for Inter-American Affairs here and he has some of his people with him.

We will ask you to submit your statement at this time.

**STATEMENT OF EDWIN M. MARTIN, ASSISTANT SECRETARY OF
STATE FOR INTER-AMERICAN AFFAIRS**

Mr. MARTIN. Mr. Chairman, I have a fairly brief statement if you would like me to read it?

Senator McNAMARA. You may proceed in your own manner.

Mr. MARTIN. Thank you.

I am pleased to have the opportunity to appear before your committee in support of the Department of Commerce request for additional authorizing legislation which will permit the appropriation of an additional \$32 million to complete the Inter-American Highway. As your committee is aware the Congress has approved the previous authorizing legislation authorizing the appropriation of \$138,703,000 for the construction of this highway. These funds have all been appropriated, the last being Public Law 766 of the 85th Congress of August 27, 1958, of \$10 million. These funds which have been previously authorized by the U.S. Congress have now all been either expended or obligated on current projects. The Bureau of Public Roads, the U.S. agency which has the responsibility of supervising and carrying out this project for the United States, has now determined that it will be necessary to secure authorization for an appropriation of the additional \$32 million for this highway. In the previous appearances before this committee, representatives of the Department of State have set forth the reasons why my department considers the completion of this highway to be so important. However, I would like to restate them briefly.

The completion of the Inter-American Highway has long been a clearly established objective of U.S. policy. For many years the United States, together with its Central American neighbors, has been cooperating in its construction. We have now reached the point where it is very easy to see the completion of this important highway artery. The authorization of the additional \$32 million would permit the final completion of a hard surfaced highway from the Guatemala-Mexico border to Panama City. The portion of this highway through Mexico has already been completed entirely by the Mexican Government with its own funds.

A great many benefits will result from the completion of this highway. Some of these benefits are as follows:

(1) Political: The remarkable impetus toward Central American economic integration observable during the past year or two holds promises of profound significance for eventual political and social development as well, accentuating the desirability of perfecting without delay a modern communications backbone through the region as it gains economic and political weight.

Completion of the highway would intensify its use throughout, reduce the isolation from each other of the peoples along it and contribute toward greater unity among the Isthmian Republics. This would in turn damp out much local political turbulence and advance the region toward the condition of political stability which is so essential for its accelerated progress in the economic and social fields.

It is clear that increased contact between the United States and the countries traversed by the highway, through tourism, commercial travel, and transport could result in a variety of mutual benefits, the

sum of which would be to strengthen our relations with those countries as they move forward under the Alliance for Progress.

All of the countries on the highway are anxious to see the last hard-surfaced link laid down, with particular concern centered in Guatemala, where a difficult stretch of road paving now greets the southbound traveler at the very beginning of the Central American segment. Guatemala has been ready and willing to join the United States in proceeding with the paving work on its territory. Our failure to follow through would blur the accomplishment already made on the whole highway by holding back realization of the decades-old vision of automobiles rolling south to Panama and back over an uninterrupted hard-surface arterial highway. U.S. leadership now in seeing the highway through to prompt and final completion would, on the other hand, bring the project over a significant psychological hump, with favorable political effect for the United States in all the countries concerned.

(2) Economic development: Poor surface transportation is one of the main factors retarding economic development in this area. With the completion of the Inter-American Highway there will be constructed additional feeder or farm-to-market roads such as we know them in the United States, to open underdeveloped lands which will stimulate economic growth within the area and encourage opportunities for new markets and greater international intercourse between the countries of this area.

I would like to point out at this point that this committee sent a group over this highway during December of 1961 and January of 1962. In that report your committee very aptly listed a number of very important economic developments which can be expected from the completion of this highway. I will not take your time to reiterate these developments but will say that I concur wholeheartedly in them.

One of the elements of this entire program is the problem of the maintenance of this highway after it has been completed. The Central American countries and Panama in the past project agreements have obligated themselves to adequate maintenance of this highway. However, experience has shown that in a number of cases such maintenance problems are beyond the capability of the local highway departments to handle. In looking for a solution to this problem there have been discussions concerning the establishment of an Inter-American Highway Authority to maintain this important highway after it has been completed. A meeting of the Ministers of Public Works of Central America and Panama was held in August 1959 on this matter. As a result of that meeting a study was made on the establishment of such a maintenance authority by the International Road Federation. This report was issued in June 1960. This report found that such a plan was technically feasible and it estimated the cost for such an authority for the first 5 years would be \$16 million. Several of the countries have indicated that this initial investment is beyond their economic capabilities and have requested financial participation by the United States in at least the first 5 years operation of such a plan. In view of the large investment which the United States has in this highway there have been extensive discussions concerning the advisability of the United States participating in 50 percent

of the financial cost of a maintenance authority for the 5—first 5 years or \$8 million.

If the United States assists in the original financing cost of a maintenance authority it is to be considered as a part of the overall U.S. foreign aid development. This problem has been discussed with the U.S. Coordinator for the Alliance for Progress who has advised that such a proposal to help finance and encourage the formation of an Inter-American Highway Authority is in accord with the planning operations of that Agency in this area. However, the AID Agency indicated that such participation by the United States might be in the form of a multilateral loan to the Central American countries. If the AID Agency is requested to assist in this project it will request that the Bureau of Public Roads, for its account, provide the technical assistance and administrative support for such an authority as well as assisting the interested Ministry of Public Works in preparing a multilateral loan application to cover the U.S. participation cost.

In closing, Mr. Chairman, I would like to reiterate the strong feeling of the Department of State from a foreign relations standpoint concerning the prompt and final completion of the Inter-American Highway, the discharge of our responsibilities for cooperating in its construction, and the full realization of the benefits that the highway will bring to the countries of Central America and Panama.

I am pleased to have the opportunity to appear before your committee to support the request of the Department of State for additional authorizing legislation (S. 2907) of \$850,000 which together with the present legislation will permit the appropriation of \$2,350,000 to complete the Rama Road in Nicaragua.

(1) History: The agreement for the United States to construct the Rama Road was developed from conversations held in 1939 between President Somoza of Nicaragua and President Roosevelt. At that time, the Nicaraguan President asked that the United States undertake the construction of a sea-level canal across Nicaragua, a right which the United States obtained in the Bryan-Chamorro Treaty of 1914. The War Department recommended against the construction of the canal and also the construction of a barge canal using the San Juan River and Lake Nicaragua. However, agreement was reached on the construction of a road from San Benito to Rama and, on April 8, 1942, the U.S. Government stated in an official note that it would be willing to construct a highway between San Benito and Rama and to survey and recommend a route from Rama to El Bluff. The United States has since been released from the survey obligation.

As a result of this agreement, construction was commenced early in 1943 with funds allotted to the Bureau of Public Roads from the emergency fund of the President in the amount of \$4 million. In addition to the original \$4 million allocated from the emergency fund of the President, the Congress has authorized allocation of an additional \$12 million and has appropriated \$10,500,000, leaving an authorization of \$1,500,000 remaining to be appropriated. The Department is proposing that the 87th Congress approve a new authorization bill for \$850,000.

This new authorization, together with the present authorization will complete this highway.

(2) Construction responsibilities: Responsibility for the actual construction of this highway is vested in the Bureau of Public Roads. In 1954, provision was made in the Federal-Aid Highway Act, placing budgetary responsibility for this project in the Department of State.

(3) Progress of the highway: The Rama Road is designed to unite two sections which heretofore have been completely separated except by air transport or small boat traffic. The distance between San Benito and Rama is 155 miles, of which 136 miles of all-weather road have been completed. There remains 19 miles of highway to be built and eight bridges. At the present time, 14 miles of highway and 6 bridges are under contract. The \$2,350,000 requested for fiscal 1963 will be used in construction of the Siquia River Bridge, the largest bridge to be built, one remaining small bridge and the final 5 miles of highway, thus completing the project.

(4) Improvements along this highway: The area in east Nicaragua touched by the road is already benefiting with development of promising cattle, coffee, and mining industries. In addition, the augmented truck and but traffic between Villa Somoza, Santo Tomas, Juigalpa, and Managua already has resulted in increased imports of U.S. vehicles, parts, petroleum, and allied products. Creation of a port at Rama will facilitate the shipping and lower the cost of Nicaraguan imports and exports.

The following are some figures on the economic development along this highway:

Town	Dis- tance from Man- agua (kilo- meters)	Population		1955		1960		Churches	
		1955	1960	Num- ber of schools	Stu- dents	Num- ber of schools	Stu- dents	1955	1960
Muhan.....	216	100	300	(1)	-----	1	100	(1)	1
La Gateada.....	226	25	200	(1)	-----	1	50	(1)	1
Chilamate.....	230	50	300	(1)	-----	1	65	(1)	1
Cacao.....	236	20	200	0	0	1	35	0	1
Espable.....	239	0	50	0	0	0	0	0	0
La Gorra.....	241	0	150	0	0	0	0	0	0
La Batea.....	246	10	800	0	0	1	90	0	0
Muelle de los Bueyes.....	253	150	300	1	(1)	1	65	0	2

¹ Not known.

	1955	1960
Cattle.....	1,000	10,000
Hogs.....	3,000	15,000
Horses and mules.....	500	2,500
Grazing land (hectares).....	4,000	12,000
Land under cultivation (hectares).....	60,000	123,000
Lumber (hand-sawn, board feet).....	(1)	100,000

¹ Not known.

Agriculture, fruit, and forest products of the area are corn, rice, beans, sugar, bananas, platanos, yucca, pineapple, oranges, grapefruit, coffee, lumber, the root from which ipecac is made, and the usual garden vegetables.

A spot traffic check of the traffic moving over the Rama Road was made at three different times, and these figures projected into a 12-hour day has resulted in the following monthly traffic statistics:

Number of car or jeep trips on road per month.....	4,860
Number of truck or pickup trips on road per month.....	9,300
Number of bus or microbus trips on road per month.....	4,260

About 50 percent of this traffic is, quite naturally, concentrated in the San Benito-Boaco Junction stretch. Embassy estimates scheduled commercial bus trips per month from Managua to Rama Road at 2,500. Figures for truck and jeeps appear high because of traffic roadbuilding vehicles. Based on above data and Embassy inquiries, it is estimated that 35,000 passengers are carried each month on buses or microbuses on the Rama Road.

(5) Closing statement: Prompt completion of this road will be one tangible way of assisting in the economic development of Nicaragua. Additionally, the prompt action of the United States with respect to the Rama Road will greatly influence the faith and confidence that Nicaragua and the other countries in Latin America have in U.S. commitments. Furthermore, and apart from the main question of integrity and policy, there exists a very real financial consideration, viz, that to date \$14,500,000 has been appropriated for the construction of the Rama Road. This \$2,350,000 will permit completion of the road and full value of this project will then be realized.

Thank you, Mr. Chairman.

Senator McNAMARA. Thank you, Mr. Martin.

Will you state the names of the gentlemen who are accompanying you, for the record?

Mr. MARTIN. Mr. Gerald W. Russell, of the Bureau of Latin American Affairs, Department of State, and Mr. Wexler, Bureau of Congressional Relations, Department of State.

Senator McNAMARA. Thank you very much, gentlemen.

The next—is Mr. Robert J. Trier here, Chief, Branch of Roads, Bureau of Indian Affairs, or has he been heard?

Mr. W. E. Michael, Sweetwater, Tenn. We will be happy to hear from you, sir.

STATEMENT OF W. E. MICHAEL, SWEETWATER, TENN.

Mr. MICHAEL. Mr. Chairman, I have already been eloquently introduced by Senator Kefauver.

Senator McNAMARA. We appreciate that.

Mr. MICHAEL. We are extremely grateful to the distinguished Senators from Tennessee and the Senators from North Carolina for turning out to support and comfort us in our efforts to obtain the State highway which Mr. Bates will describe to you.

Realizing the closeness of the time, I would like to file for the benefit of the committee a reconnaissance report, U.S. Forest Service, detailing this road with the segments and detailed description for the record.

Senator McNAMARA. Without objection it will be retained in the files of the committee. Senator Ervin presented it for the record.

Mr. MICHAEL. I would also like, if it is permissible, to file for the record a statement I previously made before a subcommittee of the

Committee on Appropriations of the Senate, for whatever value it may have.

Senator McNAMARA. Without objection that will be done.
(The statement referred to follows:)

STATEMENT OF W. E. MICHAEL, SWEETWATER, TENN., BEFORE A SUBCOMMITTEE
OF THE COMMITTEE ON APPROPRIATIONS, U.S. SENATE

Mr. Chairman, 2 years ago it was my privilege to appear before a subcommittee of the Senate Appropriations Committee in support of appropriations for the National Forest Service, with particular emphasis on forest development roads and trails. In that testimony I urged the expenditure of necessary funds to build enough roads and provide enough facilities in the largest concentration of national forest lands east of the Mississippi to develop all of its vast potentials.

Specifically, I referred to the Cherokee National Forest lands in southeastern Tennessee and the Nantahala National Forest lands in southwestern North Carolina. In that testimony I advocated the building of one connecting road linking Tellico Plains, Tenn., with Robbinsville, N.C., and making accessible, from both sides of the mountain, Joyce Kilmer Memorial Forest, with its 38,000 inspiring acres of primitive wilderness.

Today I would like to discuss these matters in a little more detail.

By way of identifying myself and the others who will testify on the same subject, I have served for 6 years as chairman of a nonpaid committee of citizens, appointed by the county court of Monroe County, Tenn., for the purpose of promoting the economic, industrial, and recreational development of our county and section of the State. Other members of that committee, at the present, are: Hon. Cook Carson, county judge of Monroe County; Mr. J. D. Lee, an attorney of Madisonville, Tenn.; Mr. J. L. Dyer, of Madisonville, Tenn.; and Mr. Charles Hall, of Tellico Plains, Tenn., a member of the county court of Monroe County. This became known as the Monroe County Industrial Committee.

On August 7, 1961, Hon. Buford Ellington, Governor of Tennessee, appointed a commission to work with a similar commission, appointed by Governor Terry Sanford of North Carolina, in coordinating plans for the development of the area to which I have referred and, particularly, to expedite the construction and finishing of the road, which has become known as the Wagon Train Route, linking Tellico Plains, Tenn., with Murphy, N.C. This road, already in use on the Tennessee side for approximately one-half of its entire length, and completed approximately one-half of the way on the North Carolina side, is planned as a joint effort of the two States and is not to be confused with the other road developments, about which we will be talking. The other members of the commission appointed by Governor Ellington are: Mr. Herbert Bates of the Tennessee Department of Highways; Mr. J. D. Lee; Mr. Charles Hall; and Judge Sue K. Hicks, retired, of Madisonville, Tenn. I am speaking today as chairman of both of these groups.

Governor Terry Sanford of North Carolina appointed on the coordinating commission to represent the State of North Carolina: Chairman, Mr. Ted Jordan, a member of the North Carolina Highway Commission, of Robbinsville, N.C.; Representative Leonard Lloyd of Robbinsville; Mr. J. S. Howell of Robbinsville; Senator Frank Forsyth of Murphy, N.C.; and Mr. H. A. Mattox of Murphy, N.C., who is chairman of the Board of Education of Cherokee County, N.C.

The North Carolina and Tennessee commissions have worked together on this project and have met and discussed these matters at considerable length with representatives of the U.S. Forest Service from Tennessee, North Carolina, and the Regional Office in Atlanta, Ga. I believe that what I am about to say today represents the combined thinking of these two commissions and is thoroughly in keeping with the policies and long-range plans of the Forest Service.

When our county industrial committee was first created, its first concern was to make a study of our assets, in order to devise some means of improving the economy of the county.

Monroe County adjoins the State of North Carolina on the east, and on that side of the county runs a chain of mountains, a large part of which is encompassed in the Great Smoky Mountains National Park. Approximately 40 per-

cent of the land in Monroe County is in national forests. This mountainous area, just as ruggedly beautiful as the Smokies, is probably even more primitive. Numerous peaks approach the 5,000-foot elevation, and some exceed it. The entire area is interlaced with the finest and most extensive system of mountain streams in existence. Many Forest Service roads and timber access roads cover the area and make portions of it accessible to the sportsman or ardent outdoorsman. However, for lack of first-class roads, this great area, for all practical purposes, is closed to traveling America.

Eastern Tennessee and western North Carolina, along with southwest Virginia and north Georgia, constitute the summer vacation land of this Nation. The business of serving the needs of these millions of annual visitors has become our largest single industry.

Believing that our best hope for economic and industrial improvement lay in taking advantage of the great natural assets with which we were endowed, our committee initiated the efforts which we have been pressing for 6 years.

We enlisted the aid of Hon. James B. Frazier, Representative from the Third Congressional District of Tennessee, in whose district all of the Tennessee area lies, and Hon. Estes Kefauver, senior Senator from Tennessee, whose home town is Madisonville, Tenn., in Monroe County. Numerous civic clubs in Tennessee and North Carolina joined in this effort, and one of their great contributions was the spectacular Wagon Train Celebration, which, for 4 years, has crossed the mountains from Tellico Plains, Tenn., to Murphy, N.C., on the Fourth of July.

Working first with Mr. John B. Spring, Forest Supervisor of the Cherokee National Forest in Tennessee, then with other officials of the Forest Service and of the States of Tennessee and North Carolina, a plan was evolved for the development of the region to which I have referred.

Basically, this plan provided that the States of Tennessee and North Carolina would acquire, construct, and maintain a highway connecting Tellico Plains with Murphy, N.C. This road would effectively bisect the area and make further development of it possible. The plan further contemplated that Federal funds would be sought to build roads, camping sites, and other necessary recreational facilities to make this vast, beautiful, and primitive mountain region available to a large part of the 130 million people expected to visit our national forests annually, by 1969.

I would like to file, with this statement, a map of region 8 of the national forest, which map is shaded to show the national forest within that area. This map discloses that the Cherokee, Nantahala, Pisgah, and Chattahoochee National Forests join to make the largest concentration of national forest land, or publicly owned land, east of the Rocky Mountains.

The plan to which I have briefly alluded has been approved by unanimous resolutions, adopted by the Legislatures of North Carolina and of Tennessee. A copy of the resolution adopted by the Legislature of the State of Tennessee is attached to this statement as an addenda.

The national forests, to which I have referred, encompass approximately 2,400,000 acres of land. They almost surround the Great Smoky Mountains National Park, which is the most visited of all the national parks. The northern and eastern portions of this area have been improved by the construction of the Blue Ridge Parkway, a magnificent scenic highway, which attracts more than 5 million visitors per year.

The portion of these public lands about which I am speaking, including specifically the southern division of Cherokee National Forest, and the western portion of the Nantahala National Forest, have received comparatively little funds for recreational or tourist development. Yet, this relatively undeveloped section is attracting more than a million visitors per year. The latest official figures that I have cover only a portion of the area, and that reports 617,000 visitors in 1958 in the Tellico-Hiwassee-Ocoee Ranger Districts of the Cherokee National Forest. The number of visitors is increasing rapidly each year, and with a minimum of expense per capita, this area could easily attract, hold, and benefit 10 million visitors annually.

There are two other facts on which I would like to comment briefly, with reference to the location of this area. It is the only national forest area in the Eastern United States having mountains of sufficient height to provide ideal climatic conditions in the summertime, with primitive wildernesses, beautiful mountain streams, fishing, hunting, camping, and all of the other recreational potentials which the vacationing public seeks.

The second intriguing fact is that this area is within easy vacation reach of two-thirds of the population of the United States. When the Interstate Highway System has been completed, this area will be within 24 hours' travel time of more than 125 million people.

I would like to file as an addenda to my statement a composite map of the area under discussion and which shows the Cherokee National Forest, the Nantahala National Forest, and the projection of proposed roads within the area. I understand that this system of roadways fits into the long-term planning of the development of the national forest, as submitted to the Congress by the President. As the shaded portion of the map will disclose, some of these projected roads are entirely on public lands and nearly all of them largely on public lands. The road numbered 1210, extending from Tellico Plains, Tenn., following Tellico River, to the top of the mountain, is already in service, and will be taken over by the State of Tennessee when North Carolina completes the link designated at 420. The Tennessee end of this road has been hard surfaced, and the State of Tennessee has completed the surfacing of the last 3½ miles.

The road with which I am particularly concerned today and one that I believe can be justified from any consideration is the road from Robbinsville, N.C., to Tellico Plains, Tenn. This road can be constructed entirely on public lands or it can be constructed so that the greater portion of it is on public lands. Existing roadways now are on Forest Service land, and they are 416-3, 416-2, 81 and 81-B, leading from Robbinsville, N.C., to the top of the mountain at the Tennessee line near Stratton Meadows. From that point, existing road 1234 would carry this road to within approximately 7 miles of Tellico Plains, Tenn. The numbered roads, which I have just mentioned from Robbinsville to a point some 7 miles from Tellico Plains are dirt roads of low classification, but, for the most part, have good location and good grade.

To further describe this road, it should be said that, when opened to travel, it would not only be a short connecting, and therefore useful, link, but it would be a scenic highway unsurpassed in beauty. At Robbinsville it would connect with Federal Highway No. 129, which is the principal access route to Fontana Dam and to a portion of the Great Smoky Mountains National Park. From Robbinsville, it would pass by Joyce Kilmer Memorial Forest, which is one of the most beautiful and inspiring spectacles to be seen anywhere. From that point, for about 10 miles, it climbs the mountain to the Tennessee line, which is the mountain top. From that point, it proceeds along the road marked 1234 for several miles along a mountain top, passing through and above vistas of primitive beauty. It will be necessary to survey and relocate a portion of this road in North Carolina and relocation of a portion of the road in Tennessee will also be necessary.

I suggest, therefore, that this route be surveyed and that funds be made available for this purpose. The Forest Service advises that, in similar terrain, the average cost of a survey is between \$3,500 and \$4,000 per mile. This proposed route would approximate 42 miles, and I suggest a figure of \$160,000 as a reasonable amount to defer the cost of a survey.

I am also advised by the Forest Service that the cost of constructing highways, or proper classification to carry the traffic, in terrain such as this, is approximately \$50,000 per mile. This figure does not include bridges. The suggested route crosses no large streams, and bridging is not a major problem. Using the estimate of \$50,000 per mile and allowing \$250,000 for additional bridge expenses, I submit that this road could be constructed for \$2,350,000.

If this committee considers these suggestions favorable, I hope that a way can be found, without jeopardizing any other funds of the Forest Service, or for public roads, to specifically earmark such funds. I suggest the possibility of increasing the ceiling of either the Forest Service development roads and trails fund or the public lands highway fund.

In addition to the benefits that will flow to the millions of people who will enjoy our mountains and be thrilled by their beauty, local citizens and governments will benefit greatly from the money they spend. Tourism is one of our biggest industries.

We must not lose sight of many other factors that are involved. The Forest Service is dedicated to the principle of multiple use, providing for the utilization of all of the potentials of the national forests for the benefit of all of the people. The building of roads will not only increase the tourist business and provide a vacation land, but it will make the forest accessible for the protection, harvest-

ing, and marketing of forest and timber products. It will facilitate the fighting of fires and the control of insects and diseases that blight the forests. It will assist in the protection of drainage areas, and it will make more vast areas accessible to sportsmen for the reaping of the great harvest of fish and game.

The expenditure of money for the purposes I have suggested is not a waste or a gift. I think it should be regarded as an investment. This mountainous area is so popular that as soon as the roads are open, the traveling public will extensively use them. Every new mile that is traveled means additional tax income from gasoline and automotive taxes. It is my firm conviction that this will be a self-liquidating project, and, in the final analysis, it will be a sound investment for the taxpayers and not a drain upon their resources.

We need to keep America strong. We can best do this by protecting our natural resources and taking advantage of our natural assets. I believe the suggestions I have made for appropriations will serve for the purpose of helping to strengthen America. I earnestly hope that this committee will report favorably and earmark reasonable amounts of money to be expended for the purposes which I have suggested.

I thank you on behalf, not only of our committee and of our local government, but on behalf of all of the people in our area who are vitally concerned.

Mr. MICHAEL. Following that testimony the report of the Appropriations Committee had this language:

Strong and convincing presentation was made to the committee for funds to construct a road linking the Cherokee National Forest in Tennessee with the Nantahala National Forest in North Carolina. Lack of authorization prevented committee consideration of the proposal. It is the committee's hope that a request for authorization will be placed before appropriate legislative committees for attention.

And pursuant to that an amendment to S. 3136 was introduced, and that is the bill we are speaking to today.

Speaking for us today will be Mr. Herbert Bates of Nashville, a member of the joint commission appointed by the Governors of the two States to coordinate the development of the roads and facilities in the area involved in this bill. Mr. Bates has been for many years an official of the Tennessee Department of Highways and served as chief engineer, commissioner of highways, and urban engineer. He has worked with us diligently on this project. He is known in Tennessee as "Mr. Tennessee Highways." It is my pleasure to introduce to this committee Mr. Herbert Bates.

Senator McNAMARA. We are very happy to have the gentleman here.

You may proceed in your own manner, sir.

Mr. BATES. Thank you.

**STATEMENT OF HERBERT M. BATES, CHIEF URBAN ENGINEER,
TENNESSEE DEPARTMENT OF HIGHWAYS**

Mr. BATES. Mr. Chairman, first I would like to extend to you and the honorable members of the committee greetings from our Governor, Governor Ellington, and also offer his regrets that he was unable to be here in person today to take part in this hearing.

Senator McNAMARA. We too regret he could not be here, but we know he is ably represented.

Mr. BATES. Thank you, sir.

It is a great privilege for me to appear before such a distinguished group of gentlemen to present our intense interest in Tennessee, in the development of a national forest road extending from Tellico Plains,

Tenn., to Robbinsville, N.C. Specifically the proposed road will be located in the Cherokee National Forest lands in southeastern Tennessee and the Nantahala National Forest lands in southwestern North Carolina.

Over 2 years ago I became interested in linking our two great States of Tennessee and North Carolina with adequate highway facilities, at which time I was appointed a member of a commission by Governor Ellington to coordinate our efforts in Tennessee with a similar commission appointed by Governor Sanford of North Carolina.

The Forest Service of the U.S. Department of Agriculture, now has in 39 States and Puerto Rico 191 million acres of forest lands. These lands have many potentials, such as water, recreation, timber, forage, and wildlife. There are many miles of trails and narrow roads in the forest lands but for the most part they are insufficient in their usage to provide adequate transportation to promote the development of the natural resources that are so abundant in the national forest.

The development of a forest road between the two points previously mentioned would provide access to the most wonderful areas in the national forest east of the Rocky Mountains. Extensive new areas will be provided for those who are interested in going to the forest to camp along the streams and fish, or for those who are interested in more rugged sportsmanship; bear, wild boar, and deer hunting are available.

The development of a road through this area will be an invitation to the citizens of this Nation to visit the Cherokee, Nantahala, Pisgah, and Chattahoochee National Forests. In addition to the points of interest just mentioned, the proposed road would be in close proximity to the Joyce Kilmer Memorial Forest. I have been privileged to visit the Joyce Kilmer Forest recently and I was awed by the vastness of its 38,000 acres of primitive wilderness. I do not have adequate words to describe the beauty that I observed on my visit.

It is our opinion that the construction of this scenic highway between Tellico Plains, Tenn., and Robbinsville, N.C., a distance of 47.8 miles—Tennessee 26.9 miles, North Carolina 20.9 miles—will be of great value to the Forest Service in fire detection and control, the development of water resources, the control of diseases of trees, weather damages, and harmful animals. It would also provide access to the areas where the harvesting of old timber is necessary. The removal of old timber becomes necessary to provide space for new growth and at the same time removes from the forest such trees that have been damaged by fire, age, weather, and disease.

With the explosion of the population growth in this Nation, more and more demands are going to be made on all levels of government to provide facilities for recreation and diversion from the highly populated urban areas and the complex requirements of our everyday life. The road proposed through the area described above will encourage the visitation of thousands and thousands of tourists each year, thereby, bringing into sharp focus the recovery of the economic conditions in southeastern Tennessee and southwestern North Carolina. For an example, Monroe County, Tenn., is a rural county with approximately 40 percent of its total area in the national forest and the balance of the county is quite rugged and not adaptable to

the location of large industries. With a road through the national forest, the tourists that would be attracted to this area would bring with them their requirements for motel accommodations, food, gas, and oil and many other articles, including camping, hunting, and fishing equipment. Tourism over the Nation has become one of our largest industries in this country and with roads, recreation, and other facilities for the vacationist in this area the various cities, counties, and States will immediately realize an upsurge in taxes collected. It is our belief that with a road through the forest lands mentioned above the cost of same would be self-liquidating through increases in taxes collected.

In conclusion, I would like to apprise you of the efforts of the regional office at Atlanta and the local offices in Tennessee and North Carolina of the Forest Service in their long-range planning for development of additional trails, roads, and facilities for the proper maintenance of the forest lands, and at the same time make the areas more inviting to visitors. I think the efforts of the personnel are commendable and the results of their work is outstanding, particularly so with the limited funds at their disposal.

Again permit to me express my appreciation of having this opportunity of appearing before you to express our sincere feelings for the construction of a road through these national forest lands, and to express our hope for your consideration and recommendation to the Congress for an adequate appropriation to the public lands highway funds, or to the appropriate categories, to perform such work as I have outlined.

Thank you, Senator.

Senator McNAMARA. Thank you very much, sir. You can be sure that your recommendations will be given every consideration.

Mr. MICHAEL. If you would indulge us, Mr. Chairman, I would like Dr. Hyde to be able to present this statement of the Governor of North Carolina. It is very brief.

Mr. HYDE. Thank you, Mr. Chairman.

On behalf of the Governor of North Carolina, the Honorable Terry Sanford, I would like to say that we greatly appreciate this opportunity to appear in support of this project. I have a very brief statement from the Governor that I would like to read, with your indulgence, and ask that it be entered into the record.

Senator McNAMARA. Without objection it is so ordered.

Mr. HYDE (reading):

One of the most beautiful spots of our Nation lies between Tellico Plains, Tenn., and Andrews, N.C. This is in the area of the Great Smoky Mountains National Park and of the Blue Ridge Parkway which annually attract hundreds of thousands of tourists from throughout this Nation and other lands. The area between Tellico Plains and Andrews regrettably is largely inaccessible.

Therefore, I strongly urge that the Public Lands Committee of the U.S. Senate approve completion of the "wagon train" road between Tellico Plains and Andrews, N.C. Such approval would mean the opening of a new frontier for traveling Americans who enjoy the Great Smoky Mountains National Park and the Blue Ridge Parkway.

The approval of the Public Lands Committee of the U.S. Senate would also constitute a tremendous boost for the economy of this area, inasmuch as tourism is the one major industry of the section.

Approval of the "wagon train" road by this committee would be an investment not only in the economy of this section of the Nation, but would also be a significant contribution to the pleasure of millions of Americans. I earnestly commend approval of this project to the members of the Public Lands Committee of the U.S. Senate.

Senator McNAMARA. Thank you very much, gentlemen.

Senator JORDAN. Mr. Chairman, I was notified just a few minutes before I came into the meeting that Mr. Jordan was sick and was unable to be here. However, he is in town, and he came here for this purpose and he became sick this morning. I am sorry, but I did want to get his name on the record as he did come in town for this hearing, and is chairman of the highway commission of that area of the State.

Senator McNAMARA. Thank you very much.

Senator JORDAN. Mr. Chairman, if he has a statement may I present it later?

Senator McNAMARA. Oh, certainly. If you will furnish it promptly to the reporter it will be made part of the record.

I am advised because of the death of a brother of the Honorable Carl Albert, majority leader of the House of Representatives, he was unable to appear this morning before this committee on behalf of the proposed Skyline Drive. We are all sorry to hear of the death in his family and want the record to reflect our sympathies.

The last witness we have is Mrs. John F. Snyder, of the Federation of Citizens' Associations of Washington, D.C.

We are very happy to hear from you at this time, Mrs. Snyder.

STATEMENT OF MRS. JOHN F. SNYDER, ON BEHALF OF THE FEDERATION OF CITIZENS' ASSOCIATIONS, WASHINGTON, D.C.

Mrs. SNYDER. Thank you, Mr. Chairman. I regret to bring us back from this delightful tour of the national parks to our more congested situation in the urban areas of our country.

I am Mrs. John F. Snyder, cochairman of the Committee on City Planning and Zoning of the Federation of Citizens' Association of the District of Columbia and I have come to support S. 2928 and to suggest an additional clause which we feel is important to the solution of the people-space-highway problem to which this bill is addressed.

We feel that it is imperative that Federal highway laws be brought up to date through the provisions of this bill for assuming responsibility for the relocation of persons displaced by highway construction. In our opinion this bill will have the effect of giving greater consideration to the location of interstate highways in nonresidential areas, which is in accord with our policies. We also feel that we have a collective responsibility for businesses displaced by the highway system, and for the record, we urge that provision for relocation aid be extended to businesses during the process of amending these laws.

However, since S. 2982 is confined to Federal aid to assure decent, safe, and sanitary housing for displaced families, our experience in the Washington situation prompts us to point out to you an administrative factor which has been overlooked and which is extremely important to metropolitan areas involving several jurisdictions.

If the object of this bill is to keep the highway program moving, while at the same time attending to the needs of those to be displaced, then it should provide for dealing with duly constituted authorities representing the several jurisdictions in metropolitan areas such as Washington, instead of being geared to deal only with individual States for those relocated within the same jurisdiction from which they are displaced.

Since Federal aid to highways has from its inception been an incentive program designed to achieve maximum coordination among the States, extension of its coordinating power into the tense jurisdictional stalemates of metro areas would be thoroughly in keeping with traditional objectives.

You gentlemen are familiar with the major factors in the District of Columbia citizen versus highway controversy which has consumed so much yardage in the press and so much time in congressional hearings. The loose housing and welfare policies of Washington administrations, as opposed to the tight policies of surrounding jurisdictions, have resulted in a concentration of indigent and semi-indigent families in the Federal City all out of proportion; so that in the growing metro area of which it is the center, we have virtually all the public housing in the area.

How do you meet the demand for more highways, displacing more people, who require more public housing on less space, with a dwindling tax base? The citizens who have chosen to stay and fight for the survival of this city have reacted, singly and collectively, to this pressure as we are prone to do when we find ourselves backed into a corner. The reaction ranges in intensity but it is clear that much of the opposition is based upon the universal conviction that the District of Columbia can no longer play the role of the goose that lays the golden egg for suburbia.

Reaction can be ameliorated and new channels for progressive action can be fostered through an equitable distribution of the people-space problems generated by highway construction, and this bill can incorporate a clause which will give impetus to the essential correctives.

We suggest the insertion, between clauses (2) and (3) in this bill, another one which would be numbered (3) and would change the present clause (3) to be numbered (4). The new clause would be generally stated to this effect:

(3) In metropolitan areas where equitable distribution of relocation problems must be sought among several jurisdictions, provide all possible assistance to the duly constituted body (composed of representatives of these jurisdictions) authorized to act for the entire metropolitan area as delimited by the Bureau of the Census, and to make pro rata payments to each individual jurisdiction upon the basis of the official agreement presented to the Secretary by said body.

Gentlemen, in conclusion I wish to state that I feel optimistic about the acceptance of this proposal by our own metro area neighbors. Since the Fort Davis Citizens' Association and the Federation of Citizens' Associations of the District of Columbia, first called for a Regional Housing Authority 3 years ago, the federation has been pressing the reasonableness of such an approach. The official pot simmered hopefully for a while, but subsided as is too often the case where there is no compelling reason for our Commissioners to heed the voice of the people. However, through person-to-person contacts in the Inter-Federation Council of Metro Area Citizens' Associations we have found that there is increasing awareness of the need for some such authority, since housing is recognized as being involved in every aspect of metro life and development (including highways).

Many in officialdom, such as Representative Mathias as quoted in the "Supplemental Views"¹ of the recent Whitener committee report,

¹ Report of the Special Committee on Traffic, Streets, and Highways, 87th Cong., 2d sess., p. 4.

also see the need and recognize the necessity for distributing relocation responsibilities. So this may be the one vital piece of legislation needed to relieve the stalemate and get us organized for cooperative action. If so, you will have done something important for many cities and their respective metro areas. But none can benefit more than your Nation's Capital.

Thank you, Mr. Chairman.

Senator McNAMARA. Thank you very much, Mrs. Snyder. You can be sure your testimony and recommendations will be given serious consideration.

The hearing is now adjourned.

(Whereupon, at 12:40 p.m., the subcommittee was adjourned.)

(Additional statements received are as follows:)

STATEMENT OF SENATOR JENNINGS RANDOLPH, A U.S. SENATOR FROM THE STATE OF WEST VIRGINIA

Mr. Chairman, I have proposed for myself and my colleague, Senator Byrd, of West Virginia, an amendment to increase the authorization for appropriations for public lands highways in order to bring under consideration a proposed highland scenic road through the Monongahela National Forest in West Virginia.

I believe in the validity of the public lands highways approach as we seek to provide needed scenic routes through areas of public domain as part of an effort to fulfill the requirements of a well-rounded outdoor recreation program for our increasing population in this country.

The testimony we have heard from Government witnesses, and from our colleagues in the Congress and their constituents from North Carolina, Tennessee, Oklahoma, and Arkansas, concerning the proposals for projects under this program in their States has been cogent and compelling. And the questions and answers which have been developed for the record on this subject are most enlightening. It is appropriate that I call attention to comment by a witness for the U.S. Forest Service that his agency has made a preliminary survey and has made recommendations concerning proposed projects in several of the national forests, including Monongahela National Forest in West Virginia.

The fact is, Mr. Chairman, that the purpose of the amendment to which I have referred is to authorize the implementation of the recommendations of the U.S. Forest Service as contained in its "preliminary reconnaissance report on a highland scenic highway in West Virginia through the Monongahela National Forest."

Engineering estimates contained in the U.S. Forest Service preliminary reconnaissance report indicate the proposed nine-section "highland scenic highway" would be over 160 miles of Government and private land at a total estimated cost of \$27 million. But it is pointed out in the report that it is "readily susceptible to stage or section construction," and "each completed section would be a valuable and usable link to the present road system."

As a prelude to its report, the U.S. Forest Service has provided a background which seems to me to be pertinent, and I request, Mr. Chairman, that the four-paragraph introduction be printed in the record of hearings at this point.

INTRODUCTION

"For many years, periodic proposals have been made by responsible individuals and organizations for construction of a scenic skyline drive through the heart of the Monongahela National Forest. Those who have advocated this construction feel that it would be a great tourist attraction as it would traverse some of the most spectacular mountains of the East and would open up vast new areas for recreation—camping, picnicking, photography, sight-seeing, hunting, and fishing.

"The Monongahela terrain consists of a series of long mountain ridges and valleys running from northeast to southwest. Principal highways serving the forest were originally built to handle light, slow-moving traffic. Although improvements in width, alinement, and grade have provided safer standards and accommodation for greater volumes of traffic so that these roads are now important links in the forest transportation system, none of them meets the qualifications of a scenic route with nationwide attraction.

"Under the multiple-use program on the Monongahela, this scenic road would serve to tap extensive hardwood forests and would provide access for intensive development of water, wildlife, timber, and other renewable natural resources.

Estimates of acreages to which access for timber harvest and management would be improved were based on the conditions that no activities that would impair esthetic values would be conducted within visual distance of the road; that a protective buffer zone would be maintained along the entire length of the route, and that necessary operator-built spur roads could connect with the main highway only at those points where complete safety and a minimum of interference would be assured."

In anticipation of consideration of this subject as part of our deliberations on H.R. 12135, I sent a message to the State road commissioner of West Virginia, the Honorable Burl A. Sawyers, informing him that our proposal would be based on the U.S. Forest Service report advocating a nine-section highway over 95 miles of Government land and probably over 65 miles of private land, thus necessitating eventually a combination public lands highway and new primary or secondary connecting roads to link U.S. 50 to the north of the Monongahela National Forest and U.S. 19 south of that forest.

Commissioner Sawyers is familiar with this recommendation and has been an advocate of such a scenic route through the Monongahela National Forest. He was a member of a Kennedy task force which had earlier submitted to the President a proposal of this nature. For the record, I inquired of Commissioner Sawyers if the West Virginia State Road Commission would (1) agree to assist in making planning and engineering surveys, (2) agree to place such a road on the A-B-C system, and (3) agree to construction and maintenance.

Mr. Chairman, I ask unanimous consent to have Commissioner Sawyers' telegraphic reply inserted in the record of hearings at this point.

AUGUST 9.

HON. JENNINGS RANDOLPH,
U.S. Senate, Washington, D.C.:

Re your telegram August 8, please be assured that in the event authorization is obtained for combination public land highway and new primary road from U.S. 50 near Gorman, through Monongahela National Forest to U.S. 19 near Richwood, the State Road Commission of West Virginia would be willing to assist in making engineering surveys, would designate road as part of State road system, and would agree to maintain road when completed. We strongly endorse your efforts in obtaining authorization for such a highway which would be of great benefit to this State. Please advise if we can render any further assistance. We wish to cooperate in every possible way.

BURL A. SAWYERS,
State Road Commissioner.

[H.R. 12135, 87th Cong., 2d sess.]

AMENDMENT Intended to be proposed by Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia) to the bill (H.R. 12135) to authorize appropriations for the fiscal year 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, viz: On page 3, beginning with line 9, strike out all through line 11 and insert in lieu thereof the following:

(8) For public lands highways, \$7,000,000 for the fiscal year ending June 30, 1964, of which \$4,000,000 is for a highway between United States Numbered Highways 19 and 50 through the Monongahela National Forest in West Virginia, and \$7,000,000 for the fiscal year ending June 30, 1965, of which \$4,000,000 is for such a highway between United States Numbered Highways 19 and 50 through the Monongahela National Forest in West Virginia.

[H.R. 12135, 87th Cong., 2d sess.]

AMENDMENTS Intended to be proposed by Mr. METCALF (for himself and Mr. RANDOLPH) to the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, viz:

On page 2, beginning with line 17, strike out all through line 20 and insert in lieu thereof the following:

"(3) For forest development roads and trails, an additional \$20,000,000 for the fiscal year ending June 30, 1963; for forest development roads and trails for timber development, fire protection, and administration, \$70,000,000 for the fiscal year ending June 30, 1964, and \$85,000,000 for the fiscal year ending June 30, 1965; and for forest development roads and trails for recreation, \$25,000,000 for the fiscal year ending June 30, 1964, and \$25,000,000 for the fiscal year ending June 30, 1965."

On page 10, between lines 2 and 3, insert the following:

"AMENDMENT OF DEFINITION OF FOREST DEVELOPMENT ROADS AND TRAILS

"SEC. 10. Section 101(a) of title 23 of the United States Code is amended by inserting after the period at the end of the paragraph defining the term 'forest development roads and trails, the following: 'Such term includes (1) "forest development roads and trails for timber development, fire protection, and administration" which are roads and trails designed and constructed primarily but not exclusively for timber development, fire protection, and administration, and (2) "forest development roads and trails for recreation" which are roads and trails designed and constructed primarily but not exclusively for recreation and scenic purposes.'

"AVAILABILITY OF CERTAIN FUNDS FOR CERTAIN HIGHWAY AND ROAD IMPROVEMENT

"SEC. 11. (a) The first sentence of section 204(a) of title 23 of the United States Code is amended by striking out 'maintenance' and inserting in lieu thereof 'improvements'.

"(b) The first sentence of section 205(a) of title 23 of the United States Code is amended by striking 'maintenance' and inserting in lieu thereof 'improvement'.

"(c) Section 209(a) of title 23 of the United States Code is amended by striking out 'maintenance' and inserting in lieu thereof 'improvement'.

"(d) The fourteenth paragraph under the heading 'Forest Service' in the Act of March 4, 1913 (16 U.S.C. 501) is amended by striking out the first sentence and inserting in lieu thereof the following:

"Ten per centum of all moneys received from the national forests during each fiscal year shall be available at the end thereof, to be expended by the Secretary of Agriculture for the construction and improvement of roads and trails within the national forests in the States from which such proceeds are derived; and the Secretary of Agriculture may, whenever practicable, in the construction, improvement, and maintenance of such roads, secure the cooperation or aid of the proper State or territorial authorities in furtherance of any system of highways of which such roads may be made a part."

On page 10, line 4, strike out "SEC. 10" and insert in lieu thereof "SEC. 12".

On page 10, line 16, strike out the period after "trails" and insert in lieu thereof a semicolon, and after such line insert the following:

"(11) Forest development roads and trails for timber development, fire protection, and administration;

"(12) Forest development roads and trails for recreation."

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS.
August 16, 1962.

HON. DENNIS CHAVEZ,
Chairman, Senate Public Works Committee,
Washington, D.C.

MY DEAR SENATOR: I believe your committee will be interested in knowing of the official position taken by the Florida State Road Department on section 3(b) of H.R. 12135, which is embodied in the enclosure. I shall appreciate your considering the views of our State road department in connection with this bill.

Thanking you, and with kindest personal regards, I remain,
Yours faithfully,

SPESSARD L. HOLLAND.

FLORIDA STATE ROAD DEPARTMENT,
Tallahassee, July 26, 1962.

HON. SPESSARD L. HOLLAND,
Member, U.S. Senate,
Senate Office Building, Washington, D.C.

DEAR SENATOR HOLLAND: Reference is made to H.R. 12135, being an act to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, which was passed by the House of Representatives on July 18, 1962, and is now being considered by the Senate Committee on Public Works.

Section 3(b) of H.R. 12135, as passed by the House provides, inter alia, that the States give satisfactory assurance that relocation advisory assistance is provided for the relocation of families displaced by reason of acquisition for any Federal-aid highway before the Secretary of Commerce gives his approval of any project for right-of-way acquisition or actual construction. This requirement is unobjectionable to the State road department. As a matter of fact, the department has initiated action to strengthen its present advisory assistance program.

We are informed that strong effort will be made in the Senate to amend section 3(b) of H.R. 12135, so as to require that adequate, safe, decent, sanitary, convenient housing exists before projects are approved by the Secretary of Commerce. The State road department is opposed to any such amendment on the grounds that it will unduly hamper and delay the State's roadbuilding program. We feel that the relocation of displaced families should be the responsibility of responsible local authorities such as urban renewal agencies and housing authorities, which generally exist in metropolitan areas where the problem may exist. For example, there are such local authorities in Tampa, Miami, Jacksonville, and other metropolitan areas of Florida.

In summary, it is urgently requested that you resist any change in the present language of section 3(b) of H.R. 12135.

An identical letter has been addressed to Senator Smathers.

Sincerely yours,

JOHN R. PHILLIPS, *Chairman.*

AUGUST 9, 1962.

Senator DENNIS CHAVEZ,
Chairman, Senate Public Works Committee,
New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: As general counsel and manager for the County Supervisors Association of California, I welcome the opportunity to go on record in support of H.R. 12135, the Federal-Aid Highway Act of 1962, in the form in which it was passed by the House of Representatives. Our association supports the authorization of \$950 million for the A-B-C program for fiscal year 1964 and \$975 million for fiscal year 1965. We believe the progressive increases in funds authorized for the A-B-C program should be continued at the annual rate of \$25 million per year until the annual authorization of \$1 billion is reached, in accord with Congress original intent as expressed in the Federal-Aid Highway Act of 1956.

The counties of California are particular interested in the national forest road and trail program. It is our recommendation that Federal funds for the program be set at the following levels: \$67.5 million for fiscal year 1963, \$90 million for 1964, and \$120 million for 1965. These moneys are very essential to implement the first 10-year phase of this program. Since local governments have a 25-percent share in national forest revenues, our association is strongly behind all sound implementation of the program for the development of national forest access roads.

Our support of the Federal Highway Act of 1962 is based on more than local interests, however. Our State organization, along with the National Association of Counties, has always supported long-range, balanced, and soundly financed highway programs adequate to meet the growing demands of traffic, to provide for the economic development of our country and to meet the requirements of national defense.

Very truly yours,

WILLIAM R. MACDOUGALL,
General Counsel and Manager, County Supervisors Association of California.

U.S. SENATE,
COMMITTEE ON RULES AND ADMINISTRATION,
August 15, 1962.

HON. DENNIS CHAVEZ,
Chairman, Senate Committee on Public Works,
New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed is a letter I have received from Forrest Albert, president of the Burkland Studs, Inc., a lumber company in Livingston, Mont.

Mr. Albert discusses, in some detail, the need for an expanded access road program and its importance to the small lumber industry in Montana. I would appreciate your considering the contents of this communication in conjunction with the Federal Highway Act. Also, if this communication reaches you in sufficient time, I would like to have it incorporated in the hearings on H.R. 12135.

Thank you and with best personal wishes, I am,
Sincerely yours,

MIKE MANSFIELD.

BURKLAND STUDS, INC.,
Livingston, Mont., August 10, 1962.

HON. MIKE MANSFIELD,
U.S. Senator,
Senate Office Building, Washington, D.C.

DEAR SENATOR MANSFIELD: I am writing in behalf of Burkland Studs, Inc., a sawmill company located at Livingston, Mont. In our operation we cut lodgepole pine and inland Douglas-fir. Our operations were started here in 1957. Since 1957 our timber supply has been more heavily weighted from private sources than from Forest Service sources although we have been a major purchaser of Forest Service timber from the Yellowstone working circle of the Gallatin National Forest. Private stands of timber here are rapidly being depleted and the future operation of this concern, which provides direct employment for over 140 people, will be based entirely upon the ability of the Forest Service to offer its full allowable cut in this working circle under conditions which will permit us to operate successfully. To date the Forest Service has never been able to offer its full allowable cut in this area.

The critical element in the Forest Service's ability to market the full cut in this working circle, under conditions which will permit us to operate, rests in legislation now before Congress concerning access road authorization and appropriations for the Forest Service. In the past 3 years, for example, the Gallatin Forest has received very small amounts under the access road budget. With the small amounts of money received, there has been no money available for access road construction. We very strongly urge that the Senate approve the Federal-Aid Highway Act recently passed by the House with the amendment to this act recently requested by President Kennedy. It is our understanding that the act passed by the House authorized \$50 million for this fiscal year for the Forest Service roads and trails. This is approximately \$12 million more than was available to the Forest Service last year. We further understand that President

Kennedy recently requested an additional \$10 million for a total of \$60 million for fiscal year 1963. This recent request was made after the House had acted on the bill. It is impossible to stress too strongly our complete support for President Kennedy's request and we hope that the Senate will concur. A \$60 million access road program for this year would be roughly \$22 million more than the Forest Service had available last year. Almost all of these increases for this year would go toward access road construction since the maintenance, construction, engineering on timber sale roads, bridge replacement, co-op work, and other items which have had almost entirely the limited access road funds in the past years should not materially increase. This would leave the increases then for access construction.

There is another program which has a direct bearing on our problem and which holds considerable promise for a solution to the difficult situation we are in. The program we are referring to is contained in the Public Works Acceleration and Coordination Act which has passed the Senate and is now before the House. We understand that the program which will be in the magnitude of \$750 million to \$900 million for this year is for public works projects in distressed area counties and cities with substantial major surpluses. Our checks further indicate that all of the Idaho national forests in this region are located in counties which will qualify for assistance under this act. Many of the western Montana counties also are eligible for assistance here. In other words, a considerably expanding access road construction program under this emergency Public Works Act could take place in all of the Idaho and most of the western Montana forests of this region. This would leave the regular Forest Service access road budget with its hope for substantial increases available for the eastern Montana forests which are located in counties which will not qualify for assistance under this emergency legislation.

In the Yellowstone working circle of the Gallatin Forest, which holds the key to our survival, at least \$500,000 a year for the next 3 to 5 years needs to be spent in the Mill Creek drainage. The Forest Service already has some surface work completed in the Mill Creek drainage. There are no access road problems blocking an accelerated construction program in this drainage. A 3- to 5-year program as suggested in Mill Creek would make available for sale on reasonably acceptable terms a timber sale program for the coming 10 years which would assure the life of not only this operation but other mills located in this area. I know of no place in this forest where this amount of money can reap such substantial benefits.

There is another very important aspect involving Forest Service access road construction in Mill Creek. Mill Creek drainage has outstanding multiple-use characteristics. In addition to timber harvested, access here would open up national recreation, hunting and fishing, and facilitate greatly the administration of this forest. It is obvious, therefore, that roads developed in this major depressed area should be of sufficiently high standard to adequately serve the multiple-use purposes. With the serious economic difficulties faced by lodgepole operators involving particularly the high cost of logs, it will simply be impossible for the timber industry to build the type of roads needed out of timber sales which has been past practice in this area. In other words, not only is the survival of the existing industry here depending upon construction, but adequate roads for other users of this forest will be totally dependent upon access road construction. Accordingly, either the Government should build all of the main-line and sub-main-line roads in this drainage or at a minimum should co-op in a substantial way with the successful purchaser of timber. Another way of looking at this is to state the simple fact that in few areas of the West are access road appropriations so critical to survival of an industry and to the implementation to the congressional multiple-use policies.

I referred above to the difficult logging cost problem faced by lodgepole operators. You may know that lodgepole pine has only recently been used by the lumber industry in any substantial amounts. This is due to the somewhat marginal economic factors involved in logging, manufacturing, and selling production for this specie of timber. The difficulties economically for lodgepole pine stem basically from its small size and low volume per acre. It is these factors which lead to its high logging costs.

This company, along with others in eastern Montana had intended to come to Washington, D.C., to testify before the Senate Works Committee in support of the significant increases for Forest Service access roads. The press of

business problems here, however, have prevented such a trip. I have attempted to state in this letter what I would have stated in Washington before the committee. If it is possible to incorporate this letter in the legislative hearing letter, it would be appreciated.

Sincerely yours,

FORREST ALBERT, *President.*

STATEMENT BY PHILIP A. DOUGLAS, EXECUTIVE SECRETARY, SPORT FISHING
INSTITUTE

Mr. Chairman and members of the committee, my name is Philip A. Douglas, executive secretary of the Sport Fishing Institute, located in Washington, D.C. The institute is a private, nonprofit scientific and educational fish conservation organization, supported by fishermen and industry, dedicated to the improvement of sport fishing. Our sole objective is "to help shorten the time between bites" for some 45 million Americans who look to fishing for their principal means of outdoor recreation, through a three-phase program of research on fishery biology, education in concepts of fish conservation, and professional service to conservation agencies. (For your information, Mr. Chairman, the Federal Government received \$6,253,432.22 in excise taxes on the manufacture of certain items of fishing tackle, purchased by these many millions of Americans in fiscal year 1960.)

The Sport Fishing Institute endorses S. 2767, introduced by Senator Lee Metcalf. This bill would provide legislation requiring the review of all Federal-aid highway system surveys, plans, specifications, and estimates by the Secretary of the Interior, for the purpose of protecting fish, wildlife, and recreation resources involved in such projects. Title 23, section 106, of the United States Code relating to highways would be amended to include this stipulation.

The Nation's rivers and streams, or "fish highways," Mr. Chairman, are being seriously jeopardized by some wanton road and highway construction throughout the many States. Numerous examples of loss of the fishery habitat, that would have supported thousand of man-hours of enjoyable needed recreation in the great out-of-doors, are on file in the various State fish and game departments. Senator Metcalf's many inserts in the Appendix of the Congressional Record—"SOS—Save Our Streams" series—attest to these cases of record. The hue and cry of many sportsmen's groups; local, State, and National communities; State and Federal conservation agencies: as well as the continuing protests and recommendations by Sport Fishing Institute, give vent to the righteous indignation of the many millions of Americans who seek their needed outdoor recreation in sport fishing, when they witness the drastic, often thoughtless, usually avoidable harmful effects on fish habitat of some construction methods frequently employed in roadbuilding adjacent to streams.

It would seem to the uninitiated, that there can be no harm done in building a superhighway along a stream's bank, or in straightening out a hairpin section of roadway by crossing and culverting a stream. The point that most miss is the damage done to the aquatic habitat, disregarded in the early construction stages. During the actual construction period much sediment is thrown into the stream proper. This in itself blankets streambeds for many miles, obliterating spawning beds, encrusting water plants, smothering food organisms, and literally destroying all forms of aquatic life, small and large alike.

This is the vital habitat that provides the reproduction and food-producing environment we are expecting a "native" (trout, salmon, smallmouth bass, wall-eye, rock bass, etc., as well as the lesser known but delightful minnows, darters, etc.) to inhabit. Deep pools are filled and the rocky-graveled bottom no longer provides refuge or spawning areas for aquatic life. In fact, due to a shallowing and (where highways parallel streams) warming from loss of marginal shading vegetation, waters often become intolerably warm for many desirable game fishes during certain times of the year. This is the acute, almost immediate effect of poorly executed highway construction where there is ignorance of or little or no regard for the aquatic habitat or the valuable resident creatures. In addition, there are the insidious, chronic effects—erosion—causing the greatest damage. For years, following such damage, siltation pours into the stream, occluding the formerly beautiful and productive natural habitat. Even if eggs are laid in the sand- and silt-laden streambed, they are soon smothered and dead. The end result is a complete loss of natural resources—priceless God-given assets gone in a few days, that took many decades, even centuries to build up.

The March 1962 issue of the SFI Bulletin, distributed monthly by the Sport Fishing Institute to some 23,000 conservation-minded individuals and agencies throughout the United States and abroad, has dedicated its lead article (pp. 1 and 2) (latest in a long and continuing series of articles on the subject) to this problem of roadbuilding and its effects on fishing. Marked copies are attached to this testimony for your further information. The vast road construction plans for the future must surely be guided in sensible paths or we stand to lose much of what the Outdoor Recreation Resources Review Commission's report to the President, "Outdoor Recreation for America," says we must gain—that is, many more areas suitable for outdoor recreation to meet growing demands by greatly increasing numbers of people who will be seeking such areas.

Sport Fishing Institute believes that much unnecessary and wasteful damage to aquatic resources (and the recreational opportunity they support) can be avoided by incorporating a few "rules of conduct" or guidelines into highway program policies or directives for engineers uninformed on the importance and requirements of aquatic resources. Indeed, it may be possible, in many instances—for example, providing access to cutoff waters; or, strengthening of road fills as dams with installation of adequate overflows, thereby creating roadside fishing lakes, etc.—to enhance recreation opportunities. In any event we believe that observance by highway engineers of these "14 points," as set forth nearly 2 years ago by U.S. Forest Service fishery management biologist, A. F. C. Greene, would go far toward protecting valuable aquatic resources.

1. Place fill or waste material in such a way as to keep it out of streams even at flood stage.
2. End-haul fill material to better waste areas or provide structures capable of holding it in place.
3. Make detailed plans for proper drainage and necessary drainage structures.
4. Plan culvert installations carefully so outlet ends do not hang over a fill. Culvert outlets should always be at the toe of a slope and should spill onto stable material.
5. Headwall the ends of culverts when inlet faces into a bank and riprap the bank at that point.
6. Upper ends of culverts should always be higher than the lower end so that any sediment collections can be carried through.
7. Place culverts on the streambeds so passage of migratory fish is assured during low flows.
8. Construct sediment settling basins to remove silt from water before it reaches a stream.
9. Use correct angles of repose for fills and cutbanks in relation to the soils concerned and plant all scarred areas for resodding.
10. Consider the use of fills over stream channels as dams which can impound fishing waters. Other agencies may be able to assist with costs of riprapping and outlet structures.
11. Keep a good crown and clean drainage ditches on all roads.
12. Clean all stream channels above culverts of logs and driftwood for 100 feet to prevent clogging and road washouts.
13. Keep roadways as far as possible from creek channels.
14. Change stream channels only when absolutely necessary. When done, place boulders, logs, or other stream improvement devices in new channels to create improved fish habitat conditions.

In closing, please permit me to quote from the President's March 1 message on conservation to the Congress: "As our population expands, as our industrial output increases, and as rising productivity makes possible increased enjoyment of leisure time, the obligation to make the most efficient and beneficial use of our natural resources becomes correspondingly greater. * * * The standard of living we enjoy—greater than any other nation in history—is attributable in large measure to the wide variety and rich abundance of this country's physical resources. But these resources are not inexhaustible, nor do they automatically replenish themselves. * * * We depend on our natural resources to sustain us, but in turn their continued availability must depend on our using them prudently, improving them wisely, and, where possible, restoring them promptly. We must reaffirm our dedication to the sound practices of conservation which can be defined as the wise use of our natural environment; it is, in the final analysis, the highest form of thrift—the prevention of waste and despoilment while preserving, improving, and renewing the quality and usefulness of all our resources. Our deep spiritual confidence that this Nation will survive the

perils of today—which may well be with us for decades to come—compels us to invest in our Nation's future, to consider and meet our obligations to our children and the numberless generations that will follow.”

Thank you, Mr. Chairman, for the opportunity of appearing before you and your committee. We fully endorse S. 2767, and strongly urge that it be passed. In our view, it addresses itself constructively in the public interest to a most important issue.

ROADBUILDING AND FISHING

There has been growing concern in the past decade among conservationists over the increasing threat to fishery resources and dependent fishing posed by expanding road and highway construction programs. The impact has been both direct, through construction activities in the beds of streams and the extensive removal of gravel deposits vital to fish spawning and fishfood production, and indirect, as a result of the effects of suspended silt on spawning success, food production, and fish growth. A number of localized biological studies have been conducted and have demonstrated the harmful effects of channelization, inadequate or poorly designed culverts, dredging in the streambeds for gravel to use in road construction, and the suspended silt loads resulting from these activities.

Effects of suspended silt on fish populations are less obvious though nonetheless harmful. An extensive study was made of this problem several years ago in Oklahoma. The differences found in fish growth and reproduction, and production of fishfoods between clear and muddy waters were of great significance. Fish in clear water gained weight about four times as fast as in muddy water. Muddy water had a marked unfavorable effect on reproduction of certain species. Food production was up to 14 times greater in clear than in muddy waters.

We have heard of many past instances in the West where spawning areas of salmon and steelhead have been physically removed or where they have been damaged by pollution resulting from gravel-washing operations. In the East and North, many locally famous trout streams have been destroyed by bulldozing. In the South, gravel dredging and washing has done incalculable harm to smallmouth bass especially.

The key question involved concerns relative values. For which purpose is the streambed gravel more valuable—to produce fish or roadbeds? In this connection, California has made an intensive survey of its available spawning beds. It was estimated in 1953 that each spawning salmon (regardless of sex) in the Sacramento Valley was worth about \$17.50 in terms of the commercial and sport fishing values produced by its progeny.

The average annual value to the sport and commercial fisheries of the salmon produced by an average of 380,000 spawners in the Sacramento Valley is roughly \$6,500,000 (more at times). This is a naturally renewable resource—a perpetual source of recreation and food that costs nothing to produce. The capitalized value at a conservative 4 percent interest rate, is over \$160 million.

This tremendous crop of salmon is produced from a small area of gravel distributed in about 200 miles of streams in the Sacramento Valley. On the average nearly 2,000 spawning salmon use each mile of stream during the spawning period. These are small streams. They seldom have as much as 40 acres (usually half or less) of actual spawning gravel per mile of stream. And perhaps some 50 salmon spawn on each acre of gravel, as an estimate. Thus the value of the salmon produced per acre of spawning gravel exceeds \$800 (often \$1,600 or more) annually.

Very little farmland in the country can consistently produce this kind of a monetary return. Any land that produces an annual crop worth \$800 would cost at least \$20,000 per acre. But so far as we know, no one is paying this much for land for farming or subdivisions yet, let alone twice that much.

Gravel in a streambed represents fully as tangible an asset to the sport and commercial fishing industry as it does to the construction industry for use in highways. In the past, however, there has been virtually no consideration given to protecting these valuable gravel spawning beds.

The tremendous Federal-State roadbuilding program now underway can be expected to exercise a major influence on fishing for decades to come. Its magnitude is staggering. At the outset of the program, nearly 5 years ago, the U.S. Department of Commerce estimated that over 9.7 billion tons of aggregate would be used for Federal-aid highways through 1970. Unfortunately, unless stringently controlled, much of this incredible amount of gravel would be dug from streambeds, especially in regions where gravel deposits are scarce.

Mr. Bertram D. Tallamy went on record several years ago, in his capacity as Federal Highway Administrator, as being concerned for the esthetic values of road construction. He stated that it costs no more to have a highway divide around a clump of trees or a trout stream than it does to ignore these values and destroy them. While this was an encouraging attitude, it has often proved difficult to convince State highway engineers that recreational considerations may be fully as important as their goal of getting people from one place to another in as short a time as possible. Throughout the country emphasis on limited access highways has already fenced off many streams. Insufficient thought has been given to providing access to streams and parking areas for fishermen and other recreationists.

A recent example of the inflexible thinking exhibited by many highway engineers is the proposed construction of several miles of new high-speed highway through Logan Canyon, Utah. This would have serious adverse effects on the important sport fishery of the Logan River, yet could be ameliorated to a great extent through redesign at an added cost of \$325,000. This is opposed by the State engineers. By comparison, fishermen fishing the Logan River are estimated to spend \$444,000 annually.

This is by no means a unique situation, occurring all too frequently in many States. It is because of such widespread occurrences, coupled with a full appreciation of the fish and wildlife resources affected, that the International Association of Game, Fish, & Conservation Commissioners adopted a resolution at its 1961 convention calling for forceful action to alleviate the problem. The international association expressed support for any congressional action to make all plans for Federal-aid highways subject to review by the U.S. Fish and Wildlife Service through amendment to the Federal "Coordination Act."

In this vein, we were pleased to note last month that the National Association of County Officials and the American Association of State Highway Officials have formed a 14-man joint State-county highway committee. Some of the announced objectives of the committee—to work on "problems of highway and mass transportation planning, right-of-way acquisition, community planning and zoning, and the problems of relationships of transportation programming to other aspects of community development"—would seem to offer an open door to conservation leaders.

While this is encouraging, we believe that the problem is so urgent and complex that voluntary efforts are not enough. Therefore we were pleased to see that Senator Lee Metcalf, of Montana, has introduced a bill (S. 2767) in the Congress that would extend the "Coordination Act" principals to Federal-aid highway systems. The bill would actually amend the United States Code relating to highways in such a way as to require the approval of the Secretary of the Interior to surveys, plans, specifications, and estimates for projects on the Federal-aid highways system for the purpose of protecting fish, wildlife, and recreation resources. Companion bills (H.R. 10269 and H.R. 10453) were introduced by Congressmen Henry Reuss, of Wisconsin, and Arnold Olsen, of Montana.

YELLOWSTONE PINE,
Belgrade, Mont., August 8, 1962.

HON. LEE METCALF,
*U.S. Senate, Old Office Building,
Washington, D.C.*

DEAR SENATOR METCALF: I am Blaine Cobat, part owner and general manager of Yellowstone Pine, a sawmill company located at Belgrade, Mont. Our mill uses basically lodgepole pine and was one of the pioneer companies in Montana to use this specie, having started operations early in the 1950's. We presently provide direct employment in the mill and the woods for 160 people and produce 24 million board feet of lumber annually.

We are writing to express our strong support for the forest roads and trails authorization contained in the Federal-Aid Highway Act which recently passed the House and is now before the Senate Public Works Committee. We understand the House approved \$50 million for 1963 fiscal year, \$70 million for 1964 fiscal year, and \$85 million for fiscal year 1965. We further understand that the President has now requested an additional \$10 million (or \$60 million) for 1963 fiscal year and that the Forest Service has just testified before the Senate Public Works Committee to that effect.

It is urged that the Senate approve the full amounts (\$60, \$70, and \$85 million) as now requested.

The lodgepole pine industry has had difficult cost-price problems in recent years with log costs particularly troublesome. We have had some success in helping the situation by working with the Gallatin National Forest people. We are significantly dependent on this national forest. Forest Service access road funds, if used wisely, hold the major hope for further mitigating our log cost problems.

Access roads into the untapped timber stands of the Gallatin National Forest have in recent years been built by the lumber industry under timber sale contracts. Many of these roads must be considered from a multiple-use standpoint—particularly recreation use—which requires reasonably good standards. Our lodgepole industry now finds it very difficult to financially justify building even bare minimum roads for logging only under timber sale contracts. Increased access road appropriations will permit the Forest Service to build the multiple purpose roads needed while permitting our industry to keep competitive in the field of log costs.

I had intended to come to Washington to make this statement before the Senate Public Works Committee. The press of business here prevented such an appearance. If this letter could be incorporated in the record, however, it would be appreciated.

I wish to commend you along with the other western Senators and Congressmen for your concern and the real help for our western lumber industry.

Sincerely yours,

BLAINE COBAT, *President.*

DOUGLAS STUDS, INC.,
White Sulphur Springs, Mont., August 13, 1962.

Hon. LEE METCALF
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR METCALF: I had planned to testify before the Senate Public Works Committee in regard to the need for increased authorizations for forest roads and trails. Because of a serious business problem I was unable to be in Washington last Tuesday and Wednesday, when the Senate hearings were held. For this reason, I would appreciate your submitting this letter for inclusion in the record in lieu of oral testimony.

We operate a stud mill in White Sulphur Springs, Mont., manufacturing lodgepole pine exclusively, and are wholly dependent on the Lewis and Clark National Forest for our timber supply. We employ, on a full production schedule in the woods and in the mill, about 120 people.

We, with most other eastern Montana lumber producers, face cost, production, and marketing problems unique to the lodgepole area which are more severe, we believe, than the problems which confront the rest of the western lumber industry.

I am sure you are fully aware of the relatively small size of lodgepole and the low stand per acre compared to other western softwoods. It takes 80 to 100 long logs (16 to 40 feet) to make a truckload, averaging only two truckloads per acre. These two factors (small size and low density) are responsible for higher road costs per thousand board feet, much higher than average logging costs, and higher milling costs.

As you know, less than 8 years ago, there was no effective commercial lumber utilization from the eastern Montana lodgepole forests. This has been one of the main reasons the region has lagged in allotting access road construction funds to eastern Montana. Furthermore, because of its recent advent as a commercial lumber specie, lodgepole, intrinsically a good construction wood, is still very much of a stepchild in all of the major domestic markets and cannot command the same mill price as other, more well established, western softwoods.

Because of these factors, as an eastern Montana industry, we can no longer finance the construction of multiple purpose, permanent access roads on national forest lands. Minimum prices for Forest Service stumpage, while helpful, provide only a partial solution to our eastern Montana problem.

Without criticism of either the Forest Service or Congress, let's examine the record of what region 1 has allotted to eastern Montana for access road construction. For 1960, the region allotted only 8.7 percent of its total access road fund to the Deer Lodge, Gallatin, Helena, and Lewis and Clark Forests; in 1961,

25.6 percent; in 1962, only 7.9 percent; the average for these years is less than 13 percent. The total for 1960, 1961, and 1962 was only \$91,000 for the Lewis and Clark Forest which was less than 2.5 percent of the regional total. This \$91,000 had to cover maintenance, construction engineering, bridge replacement, and so forth, leaving a mere pittance for actual road construction. Each year, for these 3 years, our company, alone, spent over 10 times as much as did the Forest Service in actual road construction.

Our company, alone, requires 30 million feet of Forest Service lodgepole each year if we are to maintain full production. With three major producers in White Sulphur Springs, there is ample installed capacity to harvest the full allowable cut, both fir and lodgepole, from the White Sulphur Springs working circle of the Lewis and Clark. To road, sell, and harvest the full allowable cut of approximately 40 million feet lodgepole and 60 million feet all species from this working circle, 40 to 60 miles of permanent system roads will have to be constructed each year. (It requires approximately 1 mile of system roads, all standards, to harvest a million feet.)

The forest 5-year sales plan, for this working circle, as listed below, is only a good start toward what will be required for the next 5 years:

TABLE II.—Roads needed to sustain annual cut

Project	No.	Miles	Estimated cost	5-year sales plans
Lewis and Clark:				
Deadman Creek.....	837.1 and 2.....	6.4	\$106,000	} 7,000,000
Harrison Creek.....	825.2.....	3.0	23,000	
Eagle Park-Sheep ¹	119.3 and 4.....	12.4	207,000	24,000,000
East Fork Spring Creek ¹	8393.....	1.8	30,600	7,000,000
South Fork Judith.....	487.3.....	7.6	108,000	} 6,000,000
Bluff Mountain.....	639.1.....	6.7	115,000	

¹ As of July 1, 1962, the necessary right-of-way for the road has not been secured.

At an average cost of \$10,000 per mile (all classes of system roads), \$400,000 to \$600,000 will be required annually for multiple purpose, permanent access roads. Without such access road budgets the Lewis and Clark most surely will fail to sell and harvest the full allowable cut so necessary to meet the needs of the White Sulphur mills. This situation is typical of the Deer Lodge, Gallatin, and Helena National Forests.

Where, then, can the money come from, to federally finance this higher level of multiple-purpose road construction for eastern Montana forests? It is my understanding that the Public Works Acceleration and Coordination Act which has passed the Senate, and which will be before the House in the near future, provides \$750 million to \$900 million for public works in depressed and labor surplus areas. The following Idaho counties: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, and Shoshone qualify for assistance under this act. This could take care of all access road construction, on a considerably expanded basis, for all Idaho forests in region 1. In western Montana, Silver Bow, Flathead Lake, Ravalli, Sanders, and Deer Lodge qualify; which, also, could make possible an expanded access road construction program for a majority of the western Montana forests.

If region 1 is responsive to its obligations and alert to the opportunities created by this emergency public works program, then substantially larger allotments could be budgeted for eastern Montana forests out of regular regional access road appropriations. The very substantial increases we are hoping for in this year's access road legislation, would accrue almost entirely to actual road construction, as overhead items such as maintenance, construction engineering, bridge replacement, etc., should not appreciably exceed present levels.

I cannot stress too strongly, Senator, the importance of Senate approval of the Federal Highway Act recently passed by the House and approval of the additional \$10 million recently requested by President Kennedy.

As individual operators, and as an industry, we of eastern Montana are at the end of the rope. The low sale returns from lodgepole simply will not cover stumpage, our higher logging and manufacturing costs, and the added burden of access road construction. Our survival is dependent on an adequate program of federally financed multiple-purpose access roads.

If region 1 takes full advantage of all present and probable Federal aid programs, sufficient access road funds can, and should, be allocated to eastern Montana for continued growth of this important segment of Montana's forest industry.

Very sincerely yours,

JOHN F. BUCHANAN, *Manager.*



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FEDERAL HIGHWAY ACT OF 1962

(No. 87-20)

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON ROADS

OF THE

COMMITTEE ON PUBLIC WORKS

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH CONGRESS

SECOND SESSION

ON

H.R. 9725

TO AUTHORIZE APPROPRIATIONS FOR THE FISCAL YEARS 1964 AND 1965 FOR THE CONSTRUCTION OF CERTAIN HIGHWAYS IN ACCORDANCE WITH TITLE 23 OF THE UNITED STATES CODE, AND FOR OTHER PURPOSES

H.R. 9848

TO AUTHORIZE APPROPRIATIONS FOR THE FISCAL YEARS 1964 AND 1965 FOR THE CONSTRUCTION OF CERTAIN HIGHWAYS IN ACCORDANCE WITH TITLE 23 OF THE UNITED STATES CODE, AND FOR OTHER PURPOSES

H.R. 11199

TO AUTHORIZE APPROPRIATIONS FOR THE FISCAL YEARS 1964 AND 1965 FOR THE CONSTRUCTION OF CERTAIN HIGHWAYS IN ACCORDANCE WITH TITLE 23 OF THE UNITED STATES CODE, AND FOR OTHER PURPOSES

APRIL 17, 18; MAY 1, AND 2, 1962

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FEDERAL HIGHWAY ACT OF 1962

TUESDAY, APRIL 17, 1962

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ROADS OF THE
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The committee met, pursuant to call, at 10:10 a.m., in room 1302, New House Office Building, Hon. George H. Fallon, chairman of the subcommittee, presiding.

Mr. FALLON. Ladies and gentlemen, the Subcommittee on Roads of the Public Works Committee is meeting this morning for hearings on three bills that have been introduced, H.R. 9725, H.R. 11199 and H.R. 9848. These bills are to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes. (The bills referred to are as follows:)

[H.R. 9725, 87th Cong., 2d sess.]

A BILL To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Highway Act of 1962".

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, \$950,000,000 for the fiscal year ending June 30, 1964, and \$975,000,000 for the fiscal year ending June 30, 1965. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects under the Federal-aid primary system;

(B) 30 per centum for projects on the Federal-aid secondary system;

(C) 25 per centum for projects on extensions of Federal-aid primary and Federal-aid secondary systems within urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1964, and \$33,000,000 for the fiscal year ending June 30, 1965.

(3) For forest development roads and trails, \$40,000,000 for the fiscal year ending June 30, 1964, and \$40,000,000 for the fiscal year ending June 30, 1965.

(4) For park roads and trails, \$18,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

(5) For parkways, \$16,000,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(6) For Indian reservation roads and bridges, \$12,000,000 for the fiscal year ending June 30, 1964, and \$12,000,000 for the fiscal year ending June 30, 1965.

(7) For public lands highways, \$3,000,000 for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965.

DEFINITIONS

SEC. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code:

- (1) Forest development roads and trails;
 - (2) Forest highway;
 - (3) Indian reservation roads and bridges;
 - (4) Park roads and trails;
 - (5) Parkway;
 - (6) Public lands highways;
 - (7) Federal-aid primary system;
 - (8) Federal-aid secondary system;
 - (9) Urban area.
-

[H.R. 9848, 87th Cong., 2d sess.]

A BILL To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Highway Act of 1962".

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, \$950,000,000 for the fiscal year ending June 30, 1964, and \$950,000,000 for the fiscal year ending June 30, 1965. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

- (A) 45 per centum for projects under the Federal-aid primary system;
- (B) 30 per centum for projects on the Federal-aid secondary system;
- (C) 25 per centum for projects on extensions of Federal-aid primary and Federal-aid secondary systems within urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1964, and \$33,000,000 for the fiscal year ending June 30, 1965.

(3) For forest development roads and trails, \$40,000,000 for the fiscal year ending June 30, 1964, and \$40,000,000 for the fiscal year ending June 30, 1965.

(4) For park roads and trails, \$18,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

(5) For parkways, \$16,000,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(6) For Indian reservation roads and bridges, \$12,000,000 for the fiscal year ending June 30, 1964, and \$12,000,000 for the fiscal year ending June 30, 1965.

(7) For public lands highways, \$3,000,000 for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965.

DEFINITIONS

SEC. 3. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code:

- (1) Forest development roads and trails;
- (2) Forest highway;
- (3) Indian reservation roads and bridges;
- (4) Park roads and trails;
- (5) Parkway;
- (6) Public lands highways;
- (7) Federal-aid primary system;
- (8) Federal-aid secondary system;
- (9) Urban area.

[H.R. 11199, 87th Cong., 2d sess.]

A BILL To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1962".

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, \$950,000,000 for the fiscal year ending June 30, 1964, and \$950,000,000 for the fiscal year ending June 30, 1965. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1964, and \$33,000,000 for the fiscal year ending June 30, 1965.

(3) For forest development roads and trails, an additional \$10,000,000 for the fiscal year ending June 30, 1963, \$70,000,000 for the fiscal year ending June 30, 1964, and \$85,000,000 for the fiscal year ending June 30, 1965.

(4) For public land development roads and trails, \$2,000,000 for the fiscal year ending June 30, 1964, and \$4,000,000 for the fiscal year ending June 30, 1965.

(5) For park roads and trails, \$22,000,000 for the fiscal year ending June 30, 1964, and \$25,000,000 for the fiscal year ending June 30, 1965.

(6) For parkways, \$16,000,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(7) For Indian reservation roads and bridges, \$16,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

(8) For public lands highways, \$3,000,000 for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

SEC. 3. (a) Chapter 1 of title 23, United States Code, is amended by revising the definition of the term "construction" in section 101 to read as follows:

"The term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping (including the establishment of temporary and permanent geodetic markers in accordance with specifications of the Coast and Geodetic Survey in the Department of Commerce), costs of rights-of-way (including the administrative expenses of providing arrangements for the relocation of families and relocation payments to families and businesses under section 133), and elimination of hazards of railway grade crossings."

(b) Chapter 1 of title 23, United States Code, is amended by adding a new section at the end thereof as follows:

"§ 133. Assistance for displaced families and businesses

"(a) The Secretary, as a condition precedent to his approval under section 106 of this title, shall require the State highway department, through an agency or agencies acceptable to the Secretary, to assure that there is a feasible method for the temporary relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highways, and that there are or will be provided in areas not generally less desirable in regard to the availability of public utilities and public and commercial facilities at rents or prices within the financial means of the families displaced by the acquisition or clearance of such rights-of-way, decent, safe, and sanitary dwellings adequate in number to accommodate such displaced families and reasonably accessible to their places of employment.

"(b) The Secretary may approve, as a part of the cost of construction of a project on any of the Federal-aid highway systems, relocation payments by a State highway department, or a local public agency acting as an agent for the State highway department for this purpose, to individuals, families, business concerns, and nonprofit organizations for their reasonable and necessary moving expenses and any actual direct losses of property, except goodwill or profit, caused by their displacement from real property acquired for such project and for which reimbursement or compensation is not otherwise made.

"(c) Payments under this section shall be subject to such rules and regulations as may be prescribed by the Secretary, and shall not exceed \$200 in the case of an individual or family, or \$3,000 (or if greater, the total certified actual moving expenses) in the case of a business concern or nonprofit organization. Such rules and regulations may include provisions authorizing payments to individuals and families of fixed amounts (not to exceed \$200 in any case) in lieu of their respective reasonable and necessary moving expenses and actual direct losses of property."

(c) The analysis of chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"133. Assistance for displaced families and businesses."

(d) The provisions of this section shall be applicable only to displacements occurring subsequent to the enactment of this Act.

PUBLIC LAND DEVELOPMENT ROADS AND TRAILS

SEC. 4. (a) Section 101 of title 23, United States Code, is amended by inserting immediately after the paragraph which begins "The term 'project agreement' means", the following:

"The term 'public land development roads and trails' means those roads or trails that are of primary importance for the development, protection, administration, and utilization of lands and resources administered by the Bureau of Land Management, or when necessary, for the use and development of the resources upon which communities within or adjacent to lands administered by the Bureau of Land Management are dependent."

(b) Chapter 2 of title 23, United States Code, is amended by inserting the following new section in its numerical sequence:

"§ 205A. Public land development roads and trails

"(a) Funds available for public land development roads and trails shall be used to pay for the cost of construction and improvement thereof.

"(b) Funds available for public land development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities."

(c) The analysis of chapter 2 of title 23, United States Code, is amended by inserting the following in its numerical sequence:

"205A. Public land development roads and trails."

AVAILABILITY OF FUNDS—OTHER HIGHWAYS

SEC. 5. Section 203 of title 23, United States Code, is amended by inserting immediately before the phrase "park roads and trails", wherever it appears in said section, the phrase "public land development roads and trails,".

FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN AREAS

SEC. 6. (a) The last sentence of subsection (c) of section 103 of title 23, United States Code, is amended to read as follows: "This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area."

(b) To the extent that this section provides additional authority for the use of Federal-aid apportionments for extensions of the secondary system in urban areas, such additional authority shall apply with respect to apportionments made prior to as well as after the date of approval of this Act.

TRANSPORTATION PLANNING IN METROPOLITAN AREAS

SEC. 7. (a) Chapter 1 of title 23, United States Code, is amended by adding thereto a new section as follows:

"§ 134. Transportation planning in metropolitan areas

"It is declared to be in the national interest to encourage and promote the development of balanced transportation systems, embracing all appropriate modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized under this title, in the development of long-range highway plans and programs, properly coordinated with plans for improvements in other forms of transportation and formulated with due consideration to their probable effect on the future development of metropolitan areas. The Secretary shall, beginning no later than July 1, 1965, before approving programs for projects in any metropolitan area, as required by section 105 hereof, make a finding that such projects are consistent with adequate comprehensive development plans for the metropolitan areas, or are based on the results of a continuing comprehensive transportation planning process carried on cooperatively by the States and local communities and that the Federal-aid system so developed will be an integral part of a soundly based, balanced transportation system for the area involved."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"134. Transportation planning in metropolitan areas."

HIGHWAY PLANNING AND RESEARCH FUNDS

SEC. 8. Subsection (c) of section 307 of title 23, United States Code, is amended to read as follows:

"(c) Of the sum apportioned for any year, commencing with those for the fiscal year 1964, to any State under section 104 of this title, 1½ per centum shall be available, with the approval of the Secretary, for expenditure upon request of the State highway department for engineering and economic surveys and investigations, for the planning of future highway programs and the financing thereof, for studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof, and for research necessary in connection with the planning, design, construction, and maintenance of highways and highway systems, and the regulation and taxation of their use. An additional one-half of 1 per centum of sums apportioned for any year to any State under paragraphs (1), (2), and (3) of section 104(b) of this title shall be available, with the approval of the Secretary upon the request of the State highway department, for highway research purposes as set forth in this subsection. Sums available in any State under this subsection shall be matched by the State in accordance with the matching requirements of section 120 of this title, except as the Secretary may determine that the interests of the Federal-aid highway program would be at best served without such matching. Such sums shall be administered as a single fund but their identity as interstate, primary, secondary, or urban funds shall be preserved, and shall continue to be available in that State for the purposes hereof in the same manner as provided for under section 118 of this title. Any research and planning moneys derived from interstate funds which are required to be reapportioned in the manner provided by subsection (b) of said section 118 shall be available upon such reapportionment only for the purposes for which such moneys were originally available under this subsection."

Mr. FALLON. In the hearings this morning I wish the witnesses in their testimony would feel that they can refer to any one of the three bills.

Two of the bills, H.R. 9725 and H.R. 9848, are almost similar, with the exception that H.R. 9725 accelerates the amount of money for the A-B-C system, \$75 million over the 2 years, whereas H.R. 9848 accelerates it \$50 million for the 2 years; and the first section of H.R. 11199 accelerates it \$50 million for the 2 years.

The two bills, H.R. 9725 and H.R. 9848, are identical in amounts with the amounts in the last 2 previous years. The bill H.R. 11199 accelerates some of the forest development roads and trails, Indian reservation roads, and bridges, and park roads and trails.

In addition to that, H.R. 11199 has several other changes in it, adding a new category in public land development roads and trails.

It also adds a section for assistance for displaced persons, families and businesses; and another new section called transportation planning in metropolitan areas.

That about sums up what these bills contain.

Our first witness this morning will be Mr. Rex Whitton, the Federal Highway Administrator.

Mr. Whitton, I see you have Mr. Turner with you.

STATEMENT OF REX M. WHITTON, FEDERAL HIGHWAY ADMINISTRATOR; ACCOMPANIED BY FRANCIS C. TURNER, DEPUTY COMMISSIONER AND CHIEF ENGINEER, BUREAU OF PUBLIC ROADS

Mr. WHITTON. With your permission I would like for Mr. Turner to sit at the table with me, Mr. Chairman.

Mr. FALLON. You go right ahead, Mr. Whitton.

Mr. Whitton, may I on behalf of the committee this morning welcome you and thank you for coming up.

Mr. DAVIS. Off the record.

(Discussion off the record.)

Mr. FALLON. We will be glad to hear from you now, Mr. Whitton.

Mr. WHITTON. Mr. Chairman, it is again a pleasure for Mr. Turner and me to have the opportunity to appear before this committee, where we feel quite at home, because you have made us feel that way.

We would like your permission to read the first 12 pages and then of the remaining pages we would like to skip through and read some of the remaining portions and have your permission to put the entire statement into the record.

Mr. FALLON. If there is no objection, it is so ordered.

(The entire prepared statement of Mr. Whitton is as follows:)

STATEMENT OF REX M. WHITTON, FEDERAL HIGHWAY ADMINISTRATOR, BUREAU OF PUBLIC ROADS, U.S. DEPARTMENT OF COMMERCE

Mr. Chairman and members of the committee, it is again a pleasure to appear before you, to present the views of the Department of Commerce on H.R. 9725, introduced by Congressman Fallon and on H.R. 11199, introduced by Congressman Buckley. The latter bill was based on draft legislation submitted to the Congress by the Department of Commerce on April 6, 1962, to implement certain of the recommendations contained in the President's recent message on transportation, and to provide authorizations for the Federal-aid A-B-C highway program and for other Federal road construction programs at levels recommended by the administration.

Also, I am furnishing the committee certain up-to-date and pertinent information on the present status of the Federal-aid highway program, as well as other current matters of importance in the highway field. We feel that it is our responsibility to keep the Congress fully informed of developments in this vital program.

The President's message on transportation was submitted to the Congress on April 5, 1962 (H. Doc. 384, 87th Cong., 2d sess.). On April 6 the Secretary of Commerce sent to the Congress a proposed draft of bill to be cited as the Federal-Aid Highway Act of 1962. The purpose of H.R. 11199, identical to the administration's draft proposal, is to provide authorizations for the Federal-aid A-B-C highway program, as well as for other direct Federal highway programs, and to carry out specific recommendations of the President made in his transportation message.

The Federal Highway Act of 1960 (74 Stat. 522) authorized the appropriation of funds for the Federal-aid primary and secondary highway systems and exten-

sions thereof within urban areas, the A-B-C program to which I have referred, for the fiscal years 1962 and 1963 in the amount of \$925 million for each year. Funds authorized for the fiscal year 1962 were apportioned to the States in 1960, and the final apportionment of funds authorized for the fiscal year 1963 was made by the Secretary of Commerce, effective October 10, 1961.

Since all authorized funds for the A-B-C highway program have been apportioned, it is necessary that the Congress give consideration during this session to the enactment of legislation making annual authorizations for the fiscal years 1964 and 1965 for continuation of the construction of these highways.

The pending legislation, H.R. 9725, would provide authorizations for the fiscal years 1964 and 1965 for the Federal-aid primary and secondary highway systems and their extensions within urban areas. Authorizations proposed by H.R. 9725 for the fiscal year 1964 would amount to \$950 million for the A-B-C program, an increase of \$25 million over the amount of \$925 million authorized by the Congress for this program for fiscal year 1963. For the fiscal year 1965 there would be an increase to \$975 million, or \$50 million over the fiscal 1963 level.

The net effect of annual increases of \$25 million in the A-B-C authorizations, beginning with fiscal 1964 and continuing until a \$1 billion annual level is reached for fiscal 1966, would be to increase the total authorizations of A-B-C funds by \$75 million during the trust fund period, of which \$25 million would be authorized by H.R. 9725 and \$50 million would result from continuing the annual increases for fiscal 1966 and 1967. Such additional authorizations would increase expenditures from the trust fund by a like amount.

In his special message to the Congress of February 28, 1961 (H. Doc. 96, 87th Cong., 1st sess.), the President recommended that the authorizations for the regular A-B-C programs be increased by \$25 million every 2 years beginning in 1964 until a \$1 billion level is reached and maintained. The authorization proposed in H.R. 9725 for the A-B-C program for the fiscal year 1965 is not, therefore, in line with the President's recommendations.

The Department of Commerce favors instead enactment of the authorization levels proposed in H.R. 11199. Section 2 of that bill would authorize funds for the Federal-aid primary and secondary systems and extensions thereof within urban areas in the amount of \$950 million for each of the fiscal years 1964 and 1965. This represents an increase of \$25 million over the authorization level for the 2 previous fiscal years and is in accordance with the recommendations of the President.

This increase in the authorization for the A-B-C program is considered necessary for its orderly continuation consistent with the national interest expressed in section 101(b) of title 23, United States Code. It is also in line with the increased authorizations provided for the Interstate System under section 103 of the Federal-Aid Highway Act of 1961 (75 Stat. 122).

Under the provisions of both H.R. 9725 and H.R. 11199, authorizations for the forest highway program would be made for fiscal years 1964 and 1965 in the same amount, \$33 million, authorized for these highways by the 1960 act for fiscal years 1962 and 1963.

With respect to public lands highways, the bills would continue for fiscal years 1964 and 1965 authorizations at the \$3 million level previously authorized for fiscal year 1963.

We consider that the sums proposed by this legislation are essential to maintain these programs at an appropriate level.

Other highways provided for—forest development roads and trails, national park roads and trails, national parkways and Indian Reservation roads, as well as a proposed new category in H.R. 11199 to be known as public land development roads and trails—are under the primary jurisdiction of other departments of the Federal Government. Justification for these programs will be furnished by these departments.

I will turn now to the specific recommendations of the President for amendments to the Federal-aid highway legislation made in his recent and timely message on transportation, a subject vital to the interests of the entire country.

One of these recommendations, concerning relocation assistance for those displaced as a result of Federal-aid highway construction, is not entirely new as the President had referred to this problem in his special message on highways of more than a year ago.

On the matter of displacement of families, the President mentioned his previous message and stated that: "To move toward equity among the various federally assisted programs causing displacement, I recommend that assistance and requirements similar to those now applicable to the urban renewal program be authorized for the Federal-aid highway program * * *."

Section 3 of the bill, H.R. 11199, now under consideration by this committee would implement this recommendation. The Secretary of Commerce would be authorized to require assurances by the State highway departments of feasible temporary relocation methods and availability of suitable dwellings for families displaced by Federal-aid highway projects, and to approve Federal-aid participation in State relocation payments, with specified limitations, for reasonable and necessary moving expenses and actual property losses not otherwise compensated.

The limitations on relocation payments would be:

- (1) \$200 in the case of an individual or family; and
- (2) \$3,000 in the case of a business concern or nonprofit organization (or if greater, the total certified actual moving expenses).

The proposed provision is designed to alleviate certain hardships to families and businesses displaced as a result of Federal-aid highway construction.

We estimate that the interstate program alone will annually displace about 15,000 families and 1,500 businesses in the next 6 to 8 years. Under existing Federal-aid highway legislation, no provision is made for those displaced. The circumstances of these displacements, therefore, are generally less favorable than those occurring under the federally assisted urban renewal program, which displaces around 30,000 families and 4,000 businesses annually. When families are required to move, it is only fair and proper that they should have the opportunity of occupying housing that is decent, safe, sanitary, that is within their financial means, and that is in reasonably convenient locations. Moreover, they should be afforded assistance where necessary in order to minimize the hardships involved in finding a suitable dwelling in which to live.

We have made no detailed estimate on the cost of this proposed new relocation assistance program. Based on the limits of payment set by the bill, however, we estimate its cost would approximate \$50 million. We understand that the experience of the Housing and Home Finance Agency under the urban renewal program has resulted in an average relocation payment of about \$65 to families and about \$1,150 to businesses.

In his message on transportation, the President also recommended "that the Federal-aid highway law be amended to permit more extensive use of Federal-aid secondary funds for extensions of the secondary system in urban areas."

Certain States are finding it increasingly difficult to improve the extensions of the Federal-aid secondary system into urban areas because of the higher priority for the use of available urban funds for the improvement of primary system extensions in these urban areas. This causes a particular hardship in the outlying sections of the larger urban areas where there is rapid suburban expansion and in smaller cities where the urban extensions of secondary routes do not carry a sufficiently large volume of traffic to merit high priority on available urban funds.

As a result, in many cases secondary routes are improved up to the urban limits, and urban funds are not available for their improvement within these urban limits to provide an integrated system of improved highways.

Section 6 of H.R. 11199 relating to extensions of the Federal-aid secondary system into urban areas, is designed to implement the foregoing recommendation. It would remove the present limitation on Federal-aid financing of such extensions, now under certain conditions restricted to urban funds.

This provision would permit increased flexibility in financing improvements on Federal-aid secondary routes within urban areas and, if enacted, would promote an integrated system of improvements in such areas. We believe that it would be particularly helpful in certain States that contain many individual and grouped urban areas, and where, in practice, the transfer of funds from primary or secondary apportionments to the class of urban funds for the purpose of improving extensions of secondary routes within urban areas has not been adequate under the provisions of section 104(c) of title 23, United States Code.

Another of the President's recommendations relates directly to highway projects in metropolitan areas.

A major objective of national transportation policy in the use of Federal assistance programs is to encourage and facilitate the development by States and local communities of balanced transportation systems consistent with long-range comprehensive development plans.

In order that this objective may be expeditiously carried out, we believe that the recommended modification of the basic Federal-aid highway legislation, as contained in section 7 of H.R. 11199, is highly desirable. The Secretary of Commerce would be granted authority to cooperate with the States in the development of long-range highway plans and programs for metropolitan areas which would form integral parts of a total transportation system for those areas.

Section 7 would require, as a condition to the approval of a highway program involving a metropolitan area, that State and local agencies undertake transportation planning on a continuing basis consistent with programs of comprehensive planning that are developed for the metropolitan area. By encouraging balanced transportation planning, we believe that the quality of general metropolitan planning would be improved.

Enactment of this provision is believed timely in view of the increased emphasis being given to long-range planning and programing by the Bureau of Public Roads and the State highway departments in connection with expenditures of Federal-aid highway funds. It would require the States and their metropolitan areas to adopt a process of planning already demonstrated by trial to be feasible and effective. The experience of the Bureau of Public Roads in the highway transportation field could be utilized to the advantage of all levels of government concerned.

Moreover, the proposed requirement would place the Federal-aid highway program in a position with respect to planning comparable to the urban transportation program of the Housing and Home Finance Agency, and thus strengthen the coordinated approach to urban transportation development already informally established by the two agencies.

Its enactment would in no way delay the current Federal-aid highway program. Reasonable time would be allowed for the States and local communities to establish the continuing planning process that would be required and to produce the plans to which their highway systems would conform. The cooperative working arrangements undertaken by the Bureau of Public Roads with States and localities in the area of transportation planning will permit the Federal guidance and leadership necessary to achieve the objective of sound and uniform transportation planning in metropolitan areas.

The President has referred in his transportation message to another important phase of coordinated transportation planning for metropolitan areas through the use of funds made available under both Federal highway and housing legislation. He has recommended "that the Federal-aid highway law be amended to increase the percentage of Federal funds available to the States for research and planning."

Provisions of existing law regarding the use of Federal-aid highway funds apportioned to the States for planning and research purposes would be revised significantly under section 8 of H.R. 11199. Generally, the amount of such funds for highway research would be increased, all highway planning and research funds would be matched by the States and, if not so used, would lapse.

At present, under section 307(c) of title 23, United States Code, not to exceed 1½ percent of all Federal-aid funds apportioned to the States for any fiscal year may be used upon the request of the State highway department, with the approval of the Secretary of Commerce, for certain highway planning and research projects. Although it has been the policy of the Bureau of Public Roads to encourage the States to match such funds, the law now provides that such funds are available with or without State matching funds.

We believe that the language defining the scope of highway research and planning projects which may be undertaken pursuant to section 307(c) is sufficiently flexible to cover any reasonably foreseeable highway planning or research project needed in connection with the Federal-aid highway program. However, the Bureau of Public Roads and the Department of Commerce have had under consideration for some time the need for expanding the dollar volume of highway research activities undertaken by or through the State highway departments with the aid of Federal funds. We have recognized the importance of highway planning and research in our recent reorganization by creating an Office of Planning as well as an Office of Research within the Bureau of Public Roads.

In order to stimulate additional highway research activities in the Federal-State cooperative area, an additional one-half of 1 percent would be made available for highway research purposes from funds apportioned to the States for the A-B-C program. Interstate funds would be involved only with respect to the 1½ percent allocation but not the additional one-half of 1 percent. This additional one-half of 1 percent, together with State matching funds, would amount to almost \$10 million annually. This sum would be in addition to the present 1½ percent which is currently being used for both highway planning and highway research.

It is also recommended that the present law be amended to require that these funds, both the 1½ percent now permitted under existing law and the proposed additional one-half of 1 percent, be matched by the States in accordance with the applicable State matching requirements of section 120 of title 23, United States Code; that is, funds deducted from Interstate System apportionments

would be matched generally on a 90-10 basis and A-B-C funds on a 50-50 basis. An exception to this matching requirement may be made where the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

As an additional incentive toward use of these funds for planning and research purposes, the proposed legislation provides that planning and research funds derived from funds apportioned for the A-B-C program shall lapse in the same manner as construction funds if not obligated for the purposes of section 307(c). Any moneys derived from Interstate funds, however, would be reapportioned for planning and research purposes as provided under 23 U.S.C. 118(b) for construction funds.

The Bureau of Public Roads and the Department of Commerce urge that the Congress favorably consider the enactment of H.R. 11199. Its enactment would be in accord with the program of the President, and it would further the objectives of the administration in the field of highway transportation particularly those phases bearing on urban highway transportation problems.

With the permission of the committee, I should like to cover some matters of broad significance to our program that I have referred to only briefly at the outset of this statement.

STATUS AND PROGRESS OF THE FEDERAL-AID HIGHWAY PROGRAM

We are pleased to advise you again that the highway program is on schedule in relation to the revenues available in the highway trust fund. Revenues accruing to the fund since July 1, 1956, have totaled \$12.484 billion, and expenditures have totaled \$12.283 billion. On January 1, 1962, the balance in the highway trust fund was \$201 million.

The status of improvement of the Interstate System as of December 31, 1961, is shown on the attached map and summarized by States in the attached table 1.

A total of 12,296 miles of the Interstate System has now been improved and open to traffic, as shown in figure 1, representing an increase of 1,856 miles during the past year. This total mileage improved and open to traffic includes 7,722 miles improved with Interstate funds, 2,271 miles improved with other public funds, and 2,303 miles of toll roads incorporated in the System as authorized by the 1956 legislation.

In addition to the sections open to traffic, 4,245 miles of the Interstate System were under construction on December 31, 1961, and engineering or right-of-way acquisition were under way on 10,668 miles. Thus on December 31, 1961, some form of work was completed or underway on 27,209 miles or 66 percent of the 41,000-mile Interstate System. Work was not yet started on 13,791 miles.

Interstate projects totaling \$6.2 billion have been completed since July 1, 1956. The completed projects include construction contracts at a total cost of \$5.1 billion and engineering and right-of-way acquisition totaling \$1.1 billion.

Interstate projects underway or authorized on December 31, 1961, totaled \$6.2 billion. The work underway included construction contracts totaling \$3.7 billion and engineering and right-of-way acquisition totaling \$2.5 billion.

We have now reached almost the one-third point in authorizations for completion of the Interstate System. As shown in table 2 covering work authorized through December 31, 1961, preliminary engineering work has been authorized covering 54 percent of the total program. About 48 percent of the right-of-way acquisition work has been authorized. Contracts have been advertised on 27 percent of the work. In total, the work authorized to date represents 31 percent of the total cost of the Interstate System as developed in the 1961 estimate.

The status of active and completed projects financed from Federal-aid Interstate funds is shown by States in the attached table 3.

For the A-B-C program, including the program financed from the special funds authorized by section 2(a) of the Federal-Aid Highway Act of 1958, projects have been completed since July 1, 1956, at a total cost of \$9 billion. The completed projects include over 131,000 miles of construction contracts, at a total cost of \$8.4 billion, and engineering and right-of-way acquisition totaling \$578 million.

A-B-C projects were underway or authorized on December 31, 1961, totaling \$3.2 billion. The work underway included over 22,200 miles of construction contracts at a total cost of \$2.8 billion and engineering and right-of-way acquisition totaling \$429 million.

The status of active and completed projects under the A-B-C program is shown by States in the attached table 4.

At this time, I would like to give the committee a brief final report on the emergency program financed from the special funds authorized by sections 2(a) and 2(e) of the 1958 act. The work financed from these funds has been completed for some time and all except a few projects have been closed out.

As an antirecession measure to aid the economy, relieve unemployment, and provide needed highway improvements, section 2(a) of the Federal-Aid Highway Act of 1958, approved April 16, 1958, authorized an additional \$400 million of special Federal-aid highway funds (D funds) for the fiscal year 1959, to be apportioned to the States using the same formulas prescribed for primary, secondary, and urban highway funds. These funds were available to the States on a two-thirds Federal and one-third State matching basis, without stipulation as to the amount to be expended on either the Federal-aid primary or secondary highway systems. Projects financed from these funds were required to be awarded to contract by December 1, 1958, for completion by December 1, 1959. Section 2(e) of the act authorized \$115 million as repayable advances (L funds) to assist the States in meeting up to two-thirds of the requirements for State matching funds, provided that the amounts so used by the States were to be repaid later by deduction from subsequent fiscal year apportionments of A-B-C funds.

Under this special program, Federal-aid primary, secondary, and urban highway projects financed at a total cost of \$618 million were placed under contract within a period of 7½ months from date of authorization of the funds, in addition to and without delay to the regular A-B-C and interstate programs. The projects provided 12,110 miles of highway improvements, including 2,075 miles of grading and drainage or low-type surfacing, 2,166 miles of intermediate-type surfaces, 7,824 miles of high-type surfaces, and 1,330 bridges over 20-foot span having a combined total length of 45 miles.

A total of \$102 million of L fund repayable advances were used by the States in matching the special D funds. These advances have been repaid in full by deductions from the 1961 and 1962 fiscal year apportionments of A-B-C funds. Three States elected not to utilize repayable advances, and there were no deductions from 1961 and 1962 apportionments in those cases.

Details of this special program are shown by States in table 5.

The Federal-aid highway program is being advanced at the maximum level that can be supported from revenues accruing to the highway trust fund. The 1963 fiscal year apportionments made last August included the A-B-C apportionment of \$925 million and the interstate apportionment of \$2.4 billion as authorized by the 1961 act.

Scheduling of obligations continues to be necessary in order that the trust fund balance will be adequate to reimburse the States promptly for work done. The schedule provides for obligations totaling \$3.3 billion for the current fiscal year. For next year the estimated amount available for obligation is equal to apportionments expected to be made later this calendar year for the fiscal year 1964, totaling \$950 million for the A-B-C program and \$2.6 billion for the interstate program, with upward adjustments as necessary to provide that each State may obligate all 1963 and prior fiscal year apportionments of A-B-C and interstate funds.

The approximate Federal fund amounts expected to be available for obligation during the fiscal years 1963 through 1967 have been estimated and furnished to the States in order that such information will be available to them for advance planning purposes. The amounts estimated to be available for obligation during these years correspond closely to the amounts expected to be apportioned during those years for the A-B-C and interstate programs combined.

The program for completion of the Interstate System as authorized by the Federal-Aid Highway Act of 1961 is shown in figure 2.

Under this authorized program the interstate apportionments total \$37 billion. It is expected that an interstate apportionment of \$2.6 billion will be made this summer for the fiscal year 1964, as shown by States in table 6, and that apportionments for succeeding fiscal years will gradually increase to a maximum of \$3 billion for each of the fiscal years 1968, 1969, and 1970, with a balancing apportionment of \$2.885 billion for the fiscal year 1971.

In addition to these interstate apportionments totaling \$37 billion, the proposed program provides for A-B-C and other programs, including emergency relief and bridges over dams, totaling \$16.532 billion through fiscal year 1972.

Estimated annual apportionments, disbursements, revenues, and trust fund balances for the program to be financed from the highway trust fund are shown in table 7.

Future apportionments of A-B-C funds would be made in the amount of \$950 million for fiscal 1964, as shown in tables 6 and 7, \$950 million for the fiscal year 1965, \$975 million for the fiscal years 1966 and 1967, and \$1 billion annually for the fiscal years 1968 through 1972, as recommended by the President in his special message to the Congress on February 28, 1961. Apportionments in these amounts, involving increases of \$25 million every 2 years beginning with the apportionment for the fiscal year 1964, are in accord with the President's recommendations for keeping the A-B-C program in balance with the expanded interstate program.

The amounts included for other programs cover estimated requirements of \$5 million annually for emergency relief in the repair of highways damaged by floods or other disasters which would continue to be financed from the highway trust fund.

Trust fund revenues provided by the 1961 act and prior legislation are estimated to total \$52.639 billion through September 30, 1972. As shown in table 7, these estimated revenues would be adequate to meet financing requirements for the \$37 billion interstate program and for the A-B-C and other programs as discussed above with a surplus of \$176 million under current estimates of trust fund revenues.

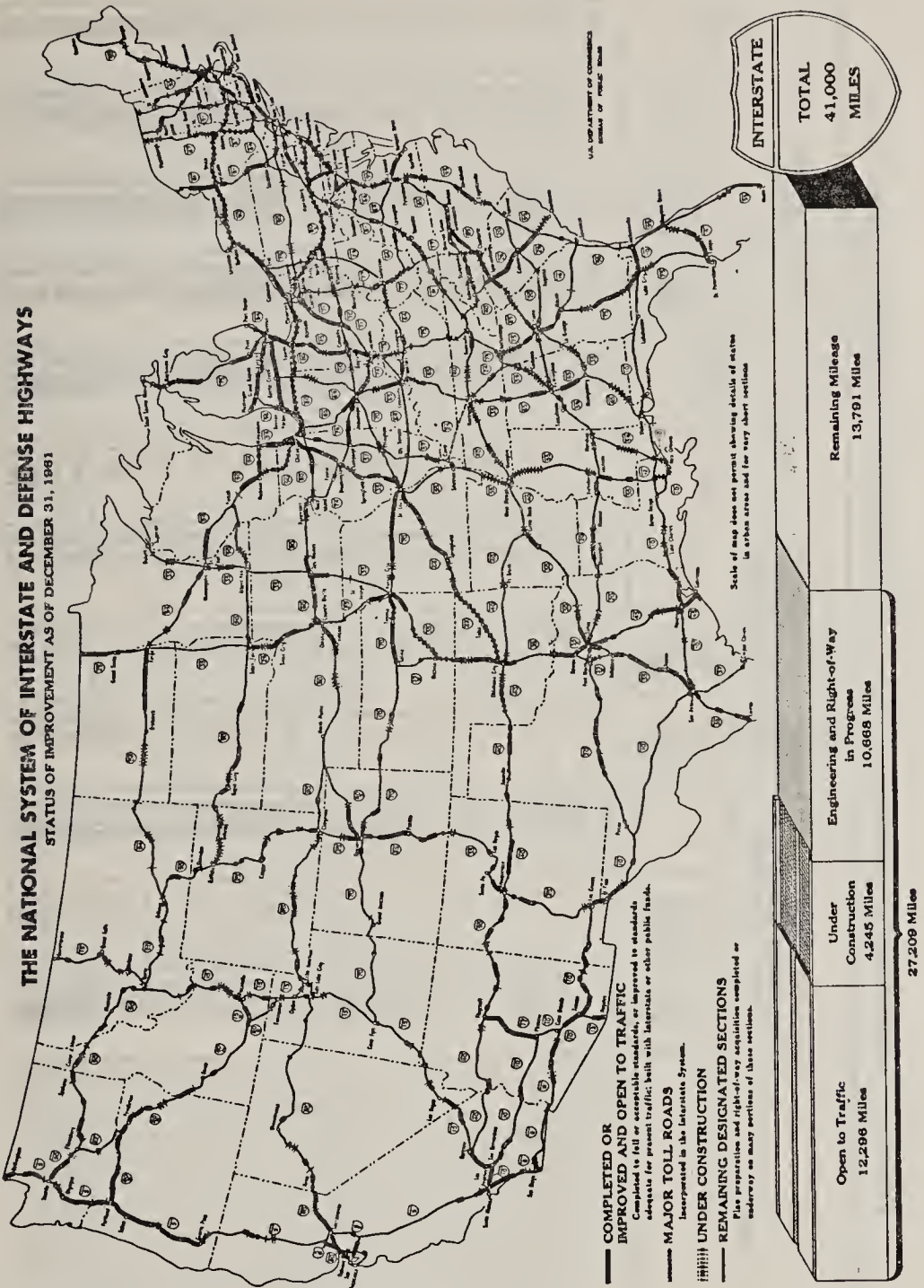
We are pleased to report that actual costs for completion of the Interstate System are running very close to the estimate of costs as reported to the Congress in January 1961 (H. Doc. 49, 87th Cong., 1st sess.). The ratios of actual to estimated costs are as follows for work authorized from January 1, 1960, through December 31, 1961:

Item	Actual total cost (million dollars)	Ratio of actual to estimated cost (percent)
Preliminary engineering.....	\$206	98.6
Right-of-way.....	1,176	103.3
Construction.....	3,883	98.9
Total.....	5,265	99.9

The tabulation of cost experience in the construction of the Interstate System indicates that actual costs for the portions of the Interstate System authorized during the 2-year period following the cutoff date for the 1961 estimate are 99.9 percent of the estimated costs for the same system segments as reported to Congress in the 1961 estimate. This relationship, percentagewise, between actual and estimated costs will vary from State to State, reflecting changing conditions in rural and urban areas, and changes in unit prices, etc., over those existing at the estimate date. Nationwide, however, the estimate of costs and the actual costs are in close agreement, indicating the soundness of the 1961 estimate as a measure of the ultimate cost of the 41,000-mile Interstate System now designated.

THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

STATUS OF IMPROVEMENT AS OF DECEMBER 31, 1961



Oregon.....	222.6	25.1	247.7	27.5	183.8	211.3	.8	459.8	87.7	11.7	99.4	172.1	731.3
Pennsylvania.....	238.1	54.5	292.6	-----	1.7	1.7	362.1	656.4	114.6	413.7	528.3	390.8	1,575.5
Rhode Island.....	40.7	9.7	20.4	.2	-----	3	-----	20.7	1.3	20.6	21.9	28.3	70.9
South Carolina.....	216.5	-----	216.5	20.5	7.9	28.4	-----	244.9	89.7	67.6	157.3	276.7	678.9
South Dakota.....	111.9	-----	111.9	56.2	-----	56.2	-----	168.1	77.7	176.5	254.2	256.5	678.8
Tennessee.....	67.3	1.7	69.0	9.1	-----	9.1	-----	78.1	188.6	303.8	492.4	477.1	1,047.6
Texas.....	670.8	52.4	723.2	99.2	135.7	234.9	29.8	987.9	244.0	1,104.8	1,348.8	687.3	3,024.0
Utah.....	57.1	-----	57.1	16.1	2.1	18.2	-----	75.3	63.8	254.0	317.8	541.8	3,934.9
Vermont.....	41.5	-----	41.5	-----	-----	-----	-----	41.5	21.4	89.8	111.2	171.2	323.9
Virginia.....	63.0	5.4	68.4	47.4	37.6	85.0	37.3	190.7	177.8	135.7	313.5	548.9	1,053.1
Washington.....	70.6	8.3	78.9	140.2	54.3	194.5	.3	273.7	50.3	268.6	318.9	133.0	725.6
West Virginia.....	29.5	-----	29.5	-----	-----	-----	85.9	115.4	35.5	60.2	95.7	311.6	522.7
Wisconsin.....	164.5	-----	164.5	-----	39.5	39.5	-----	204.0	43.6	204.9	248.5	-----	452.5
Wyoming.....	140.7	-----	140.7	38.4	-----	38.4	-----	179.1	174.0	81.7	255.7	431.0	915.8
District of Columbia.....	1.8	.1	1.9	-----	.5	.5	-----	2.4	2.4	7.4	9.8	16.0	28.2
Total.....	6,374.2	548.7	6,922.9	1,348.3	1,722.3	3,070.6	2,302.9	12,296.4	4,245.3	10,668.0	14,913.3	13,580.3	40,790.0

1 The system is limited to 41,000 miles by law. The small balance is held in reserve for adjustments as final locations are selected and projects built.

TABLE 2.—*Interstate System authorizations through Dec. 31, 1961*
[Millions of dollars]

Item	Total cost of work authorized				
	Actual through Dec. 31, 1961		Estimated remaining work as of Dec. 31, 1961		Total Interstate System costs per 1961 estimate
	Amount	Percent of total item costs	Amount	Percent of total item costs	
Preliminary engineering-----	\$587	54	\$492	46	\$1,079
Right-of-way-----	2,980	48	3,295	52	6,275
Construction-----	8,729	27	23,167	73	31,896
Subtotal-----	12,296	31	26,954	69	39,250
State highway planning and research-----					574
Public roads administration and research-----					357
Contingencies-----					819
Total-----					41,000

TABLE 3.—National System of Interstate and Defense Highways—Active and completed projects financed with Federal-aid interstate funds as of Dec. 31, 1961

[Millions of dollars]

State	Projects underway or authorized				Projects completed July 1, 1956, to date			
	Construction		Engineering and right-of-way		Total		Construction	
	Total cost	Federal funds	Total cost	Federal funds	Total cost	Federal funds	Total cost	Federal funds
Alabama.....	\$79.5	\$71.4	\$37.5	\$31.8	\$117.0	\$103.2	\$82.6	\$73.2
Alaska.....	40.5	36.9	24.6	23.3	65.1	60.2	64.6	59.6
Arizona.....	59.0	53.1	32.8	28.5	91.8	81.6	30.2	25.1
Arkansas.....	355.3	308.2	418.9	212.0	774.2	520.2	337.6	290.0
California.....	10.7	9.7	12.5	7.7	23.2	17.4	83.8	72.8
Colorado.....	46.4	40.9	64.4	57.3	110.8	98.2	64.0	55.2
Connecticut.....	14.5	13.0	20.0	16.9	34.5	29.9	7.2	6.6
Delaware.....	32.8	29.5	28.9	26.0	61.7	55.5	128.9	112.5
Florida.....	128.7	115.7	57.6	51.7	186.3	167.4	63.5	53.4
Georgia.....	25.4	23.5	7.1	6.4	7.1	6.4	40.8	36.9
Hawaii.....	226.5	198.1	112.2	99.6	338.7	297.7	267.3	222.9
Idaho.....	64.8	58.3	45.6	41.1	110.4	99.4	123.4	106.5
Illinois.....	35.7	32.3	16.2	14.6	51.9	46.9	112.3	98.9
Iowa.....	16.9	15.1	14.2	12.8	31.1	27.9	100.8	88.0
Kansas.....	68.3	61.3	47.1	41.4	115.4	102.7	102.1	90.4
Kentucky.....	116.5	104.7	108.1	68.9	224.6	173.6	62.9	55.2
Louisiana.....	15.0	13.4	1.5	1.3	16.5	14.7	44.0	38.1
Maine.....	62.3	54.0	26.3	23.5	88.6	77.5	73.9	63.5
Maryland.....	93.1	82.8	44.0	39.5	137.1	122.3	103.7	89.6
Massachusetts.....	147.1	132.2	80.4	68.2	227.5	200.4	228.8	194.6
Michigan.....	65.2	58.3	99.3	87.9	164.5	146.2	70.0	61.9
Minnesota.....	61.1	55.2	16.9	14.5	78.0	69.7	67.1	58.6
Mississippi.....	115.7	104.3	31.0	27.8	146.7	132.1	137.8	120.6
Missouri.....	44.1	40.4	19.7	18.0	63.8	58.4	31.7	28.3
Montana.....	43.1	38.8	28.9	26.1	72.0	64.9	29.0	25.0
Nebraska.....	14.8	14.1	31.8	30.3	46.6	44.4	19.1	17.7
Nevada.....	19.3	17.3	7.5	6.3	26.8	23.6	7.2	40.3
New Hampshire.....	130.2	116.0	138.2	87.3	268.4	203.3	68.0	60.4
New Jersey.....	10.0	9.0	17.0	15.8	27.0	24.8	84.3	77.9
New Mexico.....	338.2	288.5	184.2	163.7	522.4	452.2	103.1	88.8
New York.....	36.7	32.5	9.3	8.4	46.0	40.9	103.1	88.8
North Carolina.....	5.2	4.7	4.6	4.1	9.8	8.8	66.9	59.9
North Dakota.....	224.5	196.1	56.0	50.4	280.5	246.5	380.7	332.2
Ohio.....	41.4	38.8	23.8	21.8	65.6	60.6	49.6	44.4
Oklahoma.....	282.5	252.5	134.7	120.1	419.2	372.6	335.9	302.6
Oregon.....	116.6	107.2	78.6	71.4	184.2	178.6	133.3	122.2
Pennsylvania.....	98.1	91.1	112.2	101.1	203.3	191.2	120.6	115.3
Rhode Island.....	58.7	53.7	66.9	61.9	120.6	115.3	66.9	61.9
South Carolina.....	53.9	49.9	50.6	46.6	101.5	96.5	50.6	46.6
South Dakota.....	67.4	62.4	47.8	43.8	110.2	106.2	78.6	73.6
Tennessee.....	115.4	105.4	72.7	67.7	188.1	173.1	132.5	122.5
Texas.....	267.3	237.3	84.5	77.5	314.8	284.8	267.3	237.3
Utah.....	62.0	57.0	4.3	3.4	71.4	62.0	76.1	67.2
Vermont.....	164.5	154.5	43.9	40.9	205.4	195.4	186.8	176.8
Virginia.....	38.8	35.8	11.7	10.5	46.3	43.3	43.4	40.4
Washington.....	29.0	26.0	4.7	4.0	33.7	30.7	33.7	30.7
West Virginia.....	19.4	17.4	1.9	1.7	21.0	19.4	21.0	19.4
Wisconsin.....	42.5	39.5	2.2	2.2	49.8	47.8	49.8	47.8
Wyoming.....	84.1	79.1	3.6	3.6	72.3	67.3	72.3	67.3
Yukon.....	84.1	81.1	6.2	6.2	91.3	88.3	91.3	88.3
Zoo.....	304.7	284.7	35.0	32.0	339.7	316.7	382.2	359.2
Unallocated.....	108.0	103.0	21.9	19.9	125.0	120.0	125.0	120.0
Total.....	62.4	59.4	2.8	2.8	69.7	66.7	69.7	66.7
Grand total.....	501.0	461.0	168.8	158.8	569.1	511.1	569.1	511.1

TABLE 3.—National System of Interstate and Defense Highways—Active and completed projects financed with Federal interstate funds as of Dec. 31, 1951—Continued

[Millions of dollars]

State	Projects underway or authorized						Projects completed July 1, 1956, to date					
	Construction		Engineering and right-of-way		Total		Construction		Engineering and right-of-way		Total	
	Total cost	Federal funds	Total cost	Federal funds	Total cost	Federal funds	Total cost	Federal funds	Total cost	Federal funds	Total cost	Federal funds
Oklahoma.....	28.7	25.8	19.9	17.9	48.6	43.7	99.1	85.1	9.1	8.0	108.2	93.1
Oregon.....	61.3	54.9	48.7	42.4	110.0	97.3	88.6	76.2	3.2	2.6	91.8	78.8
Pennsylvania.....	142.1	126.9	68.0	61.1	210.1	188.0	257.1	220.7	52.4	47.0	309.5	267.7
Rhode Island.....	12.5	10.9	27.0	24.1	39.5	35.0	25.5	21.7	3.6	3.2	29.1	24.9
South Carolina.....	42.6	37.8	5.6	5.0	48.2	42.8	75.8	66.6	14.1	12.4	89.9	79.0
South Dakota.....	35.0	31.9	5.7	5.2	40.7	37.1	50.8	44.5	3.6	3.3	54.4	47.8
Tennessee.....	85.3	76.8	110.6	97.0	195.0	173.8	105.6	94.7	3.9	2.7	109.5	97.4
Texas.....	136.2	121.6	124.8	98.9	261.0	220.5	332.0	290.4	42.1	37.8	374.1	328.2
Utah.....	23.4	21.9	30.3	28.8	53.7	50.7	40.7	37.3	17.6	16.3	58.3	53.6
Vermont.....	22.3	20.0	11.9	10.6	34.2	30.6	47.3	41.6	2.5	2.0	49.8	43.6
Virginia.....	153.2	137.3	108.1	98.2	262.3	235.5	48.8	41.4	17.9	15.6	66.7	57.0
Washington.....	51.4	42.9	46.9	42.1	98.3	85.0	87.3	71.8	30.5	27.0	117.8	98.8
West Virginia.....	33.8	30.4	25.4	22.0	59.2	52.4	48.9	43.1	5.0	4.2	53.9	47.3
Wisconsin.....	27.6	24.9	18.5	15.5	46.1	40.4	113.7	99.1	21.7	18.2	135.4	117.3
Wyoming.....	33.5	31.2	9.4	8.7	42.9	39.9	72.4	66.0	1.4	1.3	73.8	67.3
District of Columbia.....	46.7	41.3	27.7	24.9	74.4	66.2	13.4	11.8	4.2	3.6	17.6	15.4
Puerto Rico.....												
Total.....	3,682.7	3,265.8	2,538.6	2,019.9	6,221.3	5,285.7	5,031.5	4,306.5	1,157.5	984.6	6,239.0	5,381.1

TABLE 4.—Federal-aid primary and secondary highway systems—Active and completed projects financed with primary, secondary, and urban funds—Continued
[Millions of dollars]

State	Projects underway or authorized						Projects completed July 1, 1956 to date					
	Construction			Engineering and right-of-way			Construction			Engineering and right-of-way		
	Total cost	Federal funds	Miles	Total cost	Federal funds	Total	Total cost	Federal funds	Miles	Total cost	Federal funds	Total
Oklahoma.....	\$51.7	\$26.2	907.0	\$6.4	\$3.2	\$58.1	\$181.1	\$91.6	3,059.8	\$7.0	\$3.4	\$188.1
Oregon.....	23.6	14.5	109.6	12.7	7.8	36.3	117.5	70.8	1,459.4	3.3	2.0	120.8
Pennsylvania.....	146.2	72.9	344.3	20.5	10.2	166.7	390.7	195.1	1,177.7	20.0	10.0	410.7
Rhode Island.....	8.1	4.0	27.5	9.8	4.9	17.9	42.2	21.3	143.9	6.9	3.4	49.1
South Carolina.....	44.4	22.4	1,003.8	2.5	1.2	46.9	96.0	49.9	3,120.9	10.1	5.0	106.1
South Dakota.....	9.8	5.5	275.6	3.3	2.2	10.1	114.0	64.8	5,137.7	1.1	.7	115.1
Tennessee.....	43.5	21.8	492.2	23.4	11.6	66.9	183.2	92.9	3,961.3	7.9	3.2	191.1
Texas.....	123.5	65.3	1,264.4	7.7	.3	124.2	582.9	300.6	10,566.2	3.5	1.9	586.4
Utah.....	18.7	13.8	210.4	2.5	1.9	21.2	60.0	41.8	890.6	6.2	4.6	66.2
Vermont.....	9.2	4.6	41.1	1.3	.7	10.5	43.2	22.1	331.5	4.8	2.3	48.0
Virginia.....	47.5	24.5	303.6	16.3	8.2	63.8	157.8	81.4	2,403.5	22.7	11.1	180.5
Washington.....	38.9	18.5	210.6	16.4	8.6	55.3	143.7	75.3	2,264.5	2.1	1.2	145.8
West Virginia.....	31.4	15.8	125.0	16.5	8.2	47.9	75.8	38.1	857.4	10.6	5.3	76.5
Wisconsin.....	48.2	24.6	410.3	15.0	6.9	63.2	212.1	106.8	3,783.9	19.6	9.7	231.7
Wyoming.....	15.9	10.5	170.8	3.7	2.4	19.6	71.1	46.9	1,317.4	1.5	1.0	72.6
District of Columbia.....	23.3	11.0	11.4	5.8	3.0	29.1	33.9	18.7	31.3	2.0	.9	35.9
Puerto Rico.....	16.9	8.1	51.1	4.3	2.1	21.2	48.4	23.0	131.0	8.5	3.8	56.9
Total.....	2,817.3	1,465.4	22,228.9	429.2	225.4	3,246.5	8,433.7	4,414.6	131,414.2	578.3	291.5	9,012.0
Total.....						1,690.8						4,706.1

TABLE 5.—*Projects financed from funds authorized by sec. 2(a) and 2(e) (D funds and L funds, respectively) of 1958 act as of Dec. 31, 1961*

State	Number of projects	Total cost	Federal funds		Miles	Number of bridges
			D fund	L fund		
Alabama.....	54	\$11,952,548	\$7,883,298	\$2,496,574	261.3	37
Alaska.....	31	8,239,043	6,178,599	381,824	127.1	6
Arizona.....	20	5,992,583	4,767,326	680,439	76.8	23
Arkansas.....	53	9,147,330	5,880,738	1,816,813	346.7	34
California.....	92	37,514,673	22,073,488	5,289,037	201.7	66
Colorado.....	23	9,562,554	6,259,199	1,576,074	195.7	5
Connecticut.....	25	6,047,904	3,733,466	1,153,428	36.4	3
Delaware.....	7	2,757,472	1,605,280	527,145	22.3	7
Florida.....	43	10,168,077	6,544,442	2,021,859	307.3	6
Georgia.....	34	12,217,061	8,045,973	2,682,009	290.7	26
Hawaii.....	5	2,849,494	1,838,235	567,910	13.2	3
Idaho.....	35	5,455,657	3,936,209	840,066	165.9	5
Illinois.....	166	27,430,184	17,803,047	4,807,689	567.6	41
Indiana.....	70	14,063,585	9,375,435	2,860,015	250.4	18
Iowa.....	108	13,557,425	8,523,047	2,633,135	401.8	29
Kansas.....	151	12,337,855	8,123,299	2,509,636	482.3	94
Kentucky.....	41	11,154,064	7,138,825	2,205,490	116.0	19
Louisiana.....	32	9,752,761	6,305,387	1,850,751	199.9	18
Maine.....	22	4,662,846	2,975,768	919,343	55.4	—
Maryland.....	8	6,775,394	4,394,431	1,357,629	24.8	4
Massachusetts.....	22	12,086,441	7,417,652	2,291,632	33.3	14
Michigan.....	132	21,948,248	13,857,433	196,132	375.8	17
Minnesota.....	133	15,993,590	9,544,381	393,314	497.7	23
Mississippi.....	73	10,529,823	6,374,195	18,000	296.1	54
Missouri.....	100	16,715,757	11,041,091	3,411,067	408.9	72
Montana.....	38	9,191,302	6,325,284	1,595,039	267.3	5
Nebraska.....	30	10,068,882	6,628,717	2,047,895	212.1	23
Nevada.....	11	4,261,315	3,737,178	288,487	107.3	2
New Hampshire.....	8	2,741,830	1,797,880	—	13.5	4
New Jersey.....	23	11,399,799	7,585,212	2,286,432	39.6	6
New Mexico.....	16	6,874,697	5,129,291	1,047,522	106.8	10
New York.....	87	42,711,189	25,765,119	7,691,167	217.4	33
North Carolina.....	68	14,417,185	9,527,160	2,952,998	341.6	37
North Dakota.....	23	6,884,073	4,511,272	1,393,726	392.9	1
Ohio.....	223	24,884,453	15,876,379	4,904,896	724.0	30
Oklahoma.....	36	11,907,762	7,668,061	2,368,993	180.7	40
Oregon.....	71	8,297,985	5,898,916	1,241,197	124.9	39
Pennsylvania.....	56	29,418,065	19,217,078	5,936,982	139.1	52
Rhode Island.....	22	3,475,957	2,219,044	676,619	49.8	—
South Carolina.....	58	8,778,878	5,066,872	—	283.5	46
South Dakota.....	70	7,066,130	4,880,326	1,017,733	402.7	15
Tennessee.....	62	12,581,929	8,295,696	2,562,897	306.3	42
Texas.....	147	38,527,230	24,334,820	7,518,072	1,027.4	227
Utah.....	17	4,770,155	3,729,777	—	72.5	6
Vermont.....	17	2,594,867	1,656,616	511,800	22.4	6
Virginia.....	133	12,917,661	7,657,939	2,365,867	464.1	19
Washington.....	87	9,790,505	6,494,383	1,662,443	269.5	5
West Virginia.....	33	6,976,103	4,324,463	1,336,012	152.5	4
Wisconsin.....	85	15,656,578	9,098,443	2,810,900	319.6	38
Wyoming.....	9	5,153,630	3,886,714	748,548	97.0	6
District of Columbia.....	10	3,699,324	2,368,963	731,875	6.4	1
Puerto Rico.....	9	4,413,281	2,798,766	864,440	14.1	9
Total.....	2,929	618,373,134	398,100,613	102,049,551	12,110.1	1,330

TABLE 6.—*Approximate apportionments of Federal-aid highway funds, fiscal year 1964*

[Thousands of dollars]

State	ABC				Interstate (\$2,600,000)	Total (\$3,550,000)
	Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)		
Alabama.....	\$8,178	\$6,244	\$3,188	\$17,610	\$53,635	\$71,245
Alaska.....	22,696	15,233	156	38,085	-----	38,085
Arizona.....	6,337	4,111	1,773	12,221	36,407	48,628
Arkansas.....	6,087	4,847	1,292	12,226	27,138	39,364
California.....	21,862	10,154	25,672	57,688	247,918	305,606
Colorado.....	7,105	4,609	2,415	14,129	34,379	48,508
Connecticut.....	2,992	1,622	4,581	9,195	36,613	45,808
Delaware.....	2,111	1,407	544	4,062	9,654	13,716
Florida.....	7,849	4,863	6,669	19,381	53,789	73,170
Georgia.....	10,473	7,909	3,843	22,225	47,781	70,006
Hawaii.....	2,111	1,407	880	4,398	20,360	24,758
Idaho.....	4,726	3,392	501	8,619	12,170	20,789
Illinois.....	15,933	8,727	15,229	39,889	135,256	175,145
Indiana.....	9,696	7,009	5,322	22,027	64,213	86,240
Iowa.....	9,619	7,162	2,535	19,316	32,813	52,129
Kansas.....	9,561	6,676	2,327	18,564	20,103	38,667
Kentucky.....	6,944	5,888	2,368	15,200	52,890	68,090
Louisiana.....	6,353	4,570	3,712	14,635	74,894	89,529
Maine.....	3,138	2,384	805	6,327	12,247	18,574
Maryland.....	4,192	2,628	4,288	11,108	47,499	58,607
Massachusetts.....	5,382	2,380	8,184	15,946	55,561	71,507
Michigan.....	13,179	8,277	10,755	32,211	101,031	133,242
Minnesota.....	10,726	7,560	3,888	22,174	67,063	89,237
Mississippi.....	6,626	5,567	1,393	13,586	31,503	45,089
Missouri.....	11,306	7,740	5,270	24,316	66,318	90,634
Montana.....	7,821	5,426	543	13,790	24,263	38,053
Nebraska.....	7,688	5,478	1,368	14,534	15,148	29,682
Nevada.....	4,846	3,223	358	8,427	13,069	21,496
New Hampshire.....	2,111	1,407	627	4,145	11,631	15,776
New Jersey.....	5,968	2,049	10,191	18,208	67,602	85,810
New Mexico.....	6,606	4,457	1,147	12,210	25,880	38,090
New York.....	19,292	8,412	27,316	55,020	122,855	177,875
North Carolina.....	9,971	8,914	3,111	21,996	21,208	43,204
North Dakota.....	5,411	3,965	417	9,793	11,451	21,244
Ohio.....	14,660	9,138	13,402	37,200	176,952	214,152
Oklahoma.....	8,523	5,932	2,616	17,071	31,195	48,266
Oregon.....	6,546	4,575	1,982	13,103	45,034	58,137
Pennsylvania.....	15,690	10,062	15,094	40,846	115,974	156,820
Rhode Island.....	2,111	1,407	1,426	4,944	9,551	14,495
South Carolina.....	5,407	4,724	1,699	11,830	22,389	34,219
South Dakota.....	5,952	4,306	431	10,689	17,023	27,712
Tennessee.....	8,277	6,536	3,378	18,191	65,343	83,534
Texas.....	25,851	16,337	13,180	55,368	117,309	172,677
Utah.....	4,635	3,007	1,237	8,879	37,537	46,416
Vermont.....	2,111	1,407	330	3,848	17,895	21,743
Virginia.....	8,031	6,269	4,112	18,412	78,797	97,209
Washington.....	6,780	4,582	3,548	14,910	54,046	68,956
West Virginia.....	4,163	3,742	1,248	9,153	39,026	48,179
Wisconsin.....	9,485	6,691	4,589	20,765	22,928	43,693
Wyoming.....	4,816	3,277	280	8,373	24,879	33,252
District of Columbia.....	2,111	1,407	1,489	5,007	37,280	42,287
Puerto Rico.....	2,111	2,342	1,822	6,275	-----	6,275

TABLE 7.—Program for completion of Interstate System

[Millions of dollars]

Fiscal year	Apportionments ¹				Disbursements ²	Revenues ²	Highway trust fund balance ²
	Date made	Interstate	ABC and other	Total			
Balance ³	June 30, 1956	315	1,665	1,980	-----	-----	-----
1957.....	June 29, 1956	1,000	129	1,129	966	1,482	516
1958.....	Aug. 1, 1956	1,700	859	2,559	1,511	2,044	1,049
1959.....	Aug. 1, 1957	2,200	1,381	3,581	2,613	2,087	523
1960.....	Aug. 1, 1958	2,500	906	3,406	2,940	2,536	119
1961.....	Oct. 8, 1959	1,800	883	2,683	2,619	2,799	299
1962.....	Aug. 1, 1960	2,200	884	3,084	3,026	3,001	274
1963.....	Aug. 17, 1961	2,400	930	3,330	3,252	3,262	284
1964.....	July 1, 1962	2,600	955	3,555	3,379	3,357	262
1965.....	July 1, 1963	2,700	955	3,655	3,475	3,454	241
1966.....	July 1, 1964	2,800	980	3,780	3,577	3,550	214
1967.....	July 1, 1965	2,900	980	3,880	3,688	3,651	177
1968.....	July 1, 1966	3,000	1,005	4,005	3,796	3,754	135
1969.....	July 1, 1967	3,000	1,005	4,005	3,838	3,861	158
1970.....	July 1, 1968	3,000	1,005	4,005	3,878	3,969	249
1971.....	July 1, 1969	2,885	1,005	3,890	3,971	4,078	356
1972.....	July 1, 1970	-----	1,005	1,005	4,070	4,191	477
1973.....	-----	-----	-----	-----	1,864	1,563	176
Total.....	-----	37,000	16,532	53,532	52,463	52,639	-----

¹ Actual for fiscal years through 1963; estimated, 1964-72.² Actual for fiscal years through 1961; estimated, 1962-73.³ Unpaid balance of prior authorizations.

TABLE 8.—Estimated Interstate System costs

[Millions of dollars]

Item	Costs incurred prior to 1961 estimate	Remaining costs Jan. 1, 1960			Total estimated cost	
		1961 estimate	Ratio, actual to estimated costs (percent)	Adjusted estimate of remaining costs	1961 estimate (col. 2 plus col. 3)	Adjusted estimate (col. 2 plus col. 5)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Project examination.....	\$389	\$690	98.6	\$680	\$1,079	\$1,069
Rights-of-way.....	1,744	4,531	103.3	4,681	6,275	6,425
Construction.....	5,081	26,815	98.9	26,520	31,896	31,601
Subtotal.....	7,214	32,036	-----	31,881	39,250	39,095
State highway planning and research.....	-----	-----	-----	-----	574	574
Public roads administration and research.....	-----	-----	-----	-----	357	357
Contingencies.....	-----	-----	-----	-----	819	974
Total.....	-----	-----	-----	-----	41,000	41,000

FIGURE 1
STATUS OF INTERSTATE SYSTEM IMPROVEMENT
AS OF DECEMBER 31, 1961

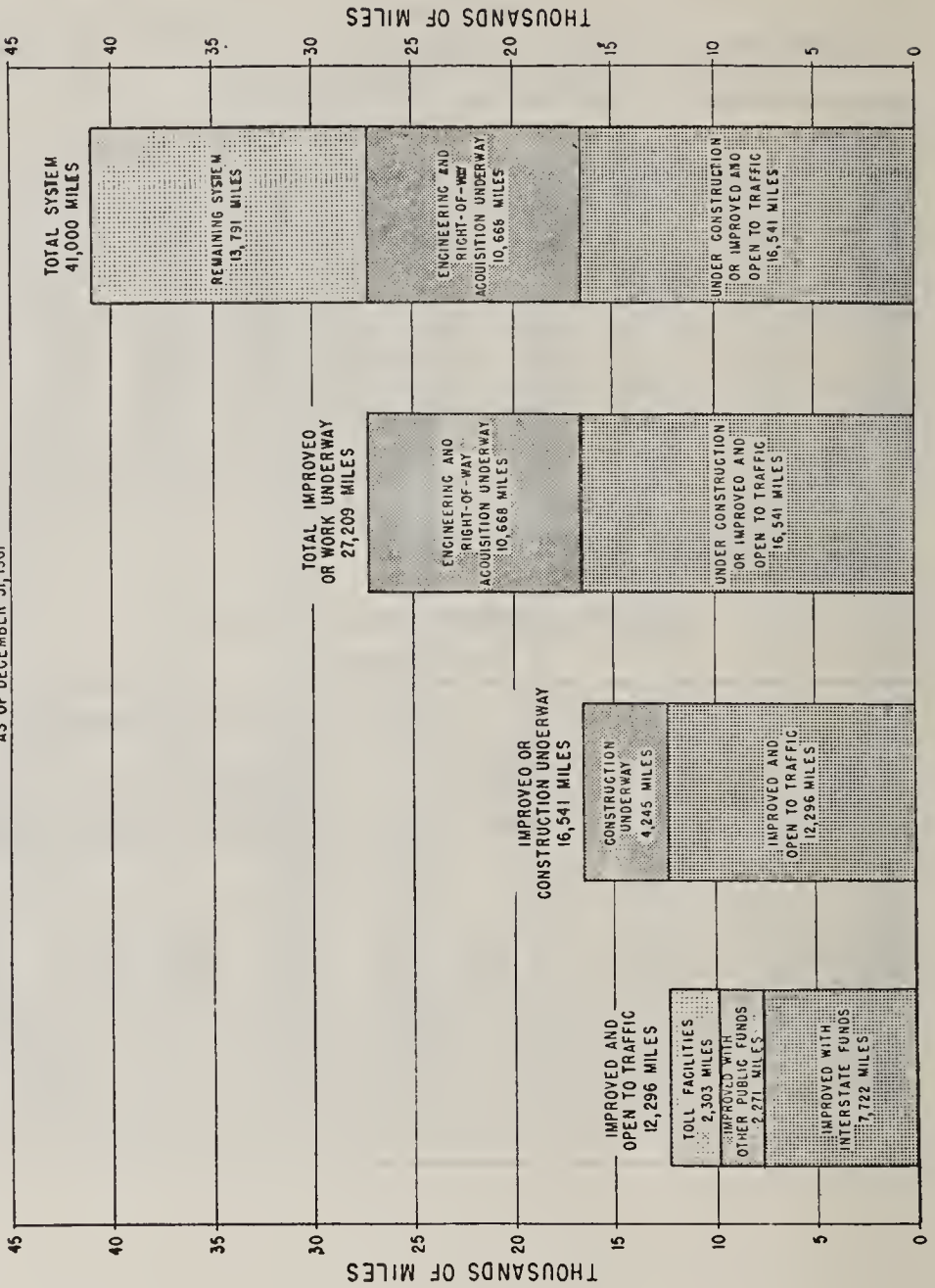
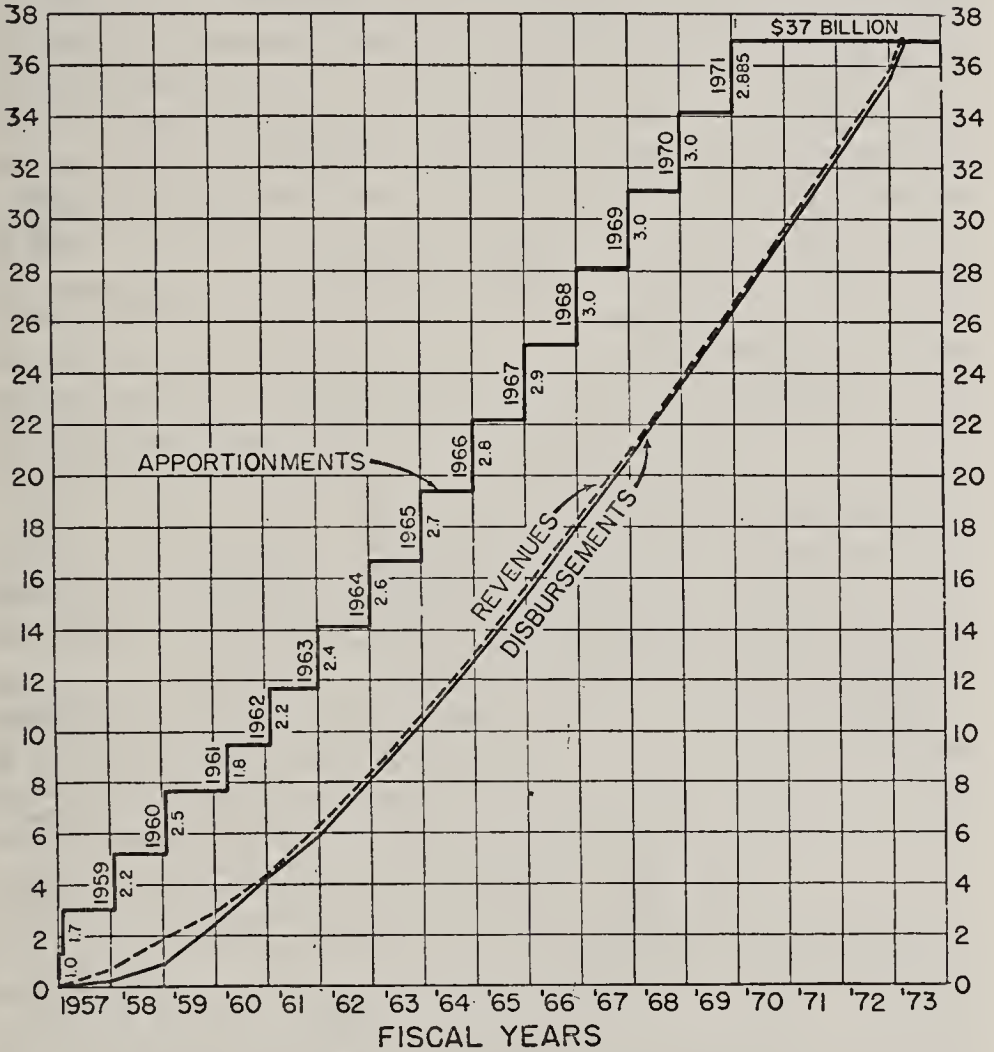


FIGURE 2
COMPLETION OF INTERSTATE SYSTEM IN 1972
PURSUANT TO 1961 ACT
INTERSTATE PROGRAM

BILLIONS OF DOLLARS



ADMINISTRATIVE CONTROLS EXERCISED BY PUBLIC ROADS

As this committee is well aware, the initiation in 1956 of a program for the completion of the Interstate System with the Federal Government contributing 90 percent of the cost has materially increased the Federal interest in this program and altered somewhat our perspective on its administration. The highway program should retain, however, its basic concept as a Federal-State cooperative program.

In cooperation with the Department of Justice, the Bureau of Public Roads has prepared proposed legislation recently submitted to the Congress by the Department of Commerce and introduced as H.R. 10822 which recognizes this increased Federal interest. Its purpose is to assist in meeting the problems of the irregularities which have occurred in the highway program. These irregularities involved only a very small percentage of total Federal-aid projects; however, we do not and will not overlook their seriousness. The Bureau of Public Roads has instituted effective administrative controls, which I will discuss in a moment, over Federal-aid highway projects, with a view toward preventing such irregularities. Nevertheless, we believe that it is necessary and desirable to provide Federal law enforcement agencies with appropriate authority to act when necessary and to provide penalties under Federal law for frauds and other offenses committed by both public officers or employees and private individuals.

Almost 5 years ago, the Bureau established its Project Examination Division, for purposes of review of both Bureau and State operations. This Division, which was initially composed of a very few persons, now numbers some 30 professional people, including trained investigators, and has been instrumental in turning to light a number of questionable practices.

I wish to discuss with you the administrative actions that Public Roads has undertaken to meet the problems of fraud and of other improprieties in connection with the highway program.

Many of these problems have occurred in the right-of-way field. Malfeasance in particular States has received considerable publicity within the last 18 months. To correct these situations and to prevent reoccurrence, we are providing specialized training and guidance for Bureau and State personnel assigned to right-of-way activities. Area seminars are regularly convened to bring these Federal and State employees together to discuss Bureau requirements and problems of concern to both levels of government.

We have established and published specific guidelines on all phases of right-of-way acquisition and on the preparation of appraisals. Procedures have been set forth for negotiating and documenting administrative settlements. Also, guidelines relating to acquisition of property by condemnation have been issued.

Each of the States is required to submit a 35-point report setting forth in detail every phase of its right-of-way operations.

Our regional and division offices have been instructed to conduct right-of-way inspection-in-depth reviews with the objective of determining how effectively each State is handling its land acquisition program. Initially, an inspection in depth will be made in every phase of right-of-way activity on one project in at least one State in each region. In every State where a full project review is not being made, an inspection in depth will be conducted on one or more of the major phases of right-of-way acquisition. This will be a continuing program and we anticipate that its effectiveness will increase.

Teams composed of auditors, investigators and right-of-way specialists from the Bureau's Washington office will make detailed reviews of right-of-way practices and procedures in our division offices and will conduct detailed investigations into any allegations of improprieties.

All of these right-of-way control measures call for men to carry them out effectively. We have succeeded in obtaining 138 full-time positions in the right-of-way field and have requested an additional 29 for the fiscal year 1963. By way of contrast, in 1956, when the accelerated interstate program was initiated, the Bureau had only a few full-time right-of-way employees and these employees were all in our Washington office. The benefits which will accrue by reason of full staff complement in the right-of-way field will be material. Our experience to date under the new procedures I have mentioned demonstrates this beyond question.

Another area of highway construction activity where improprieties have occurred is in the use of materials—inferior materials and inadequate testing and sampling procedures. The details of questionable practices in certain States have already been made known to many on the committee, and to the public as

well. We assure you that every effort is being extended to prevent future occurrences of similar nature.

Inspection and testing procedures have been the subject of continuous review by this Bureau, particularly over the last 2 years. Through the institution of new policies and procedures we feel quite positive that every affected Federal and State employee is aware of the attention to be given to the matter of testing the quantity and quality of materials incorporated into Federal-aid projects.

Intensified procedures concerning the inspection of construction projects were put into effect with the issuance of instructional memorandum 20-5-60 on April 29, 1960. This covered the inspection of material test reports and the sampling of materials in place on projects as well as final inspection procedures.

This memorandum was amplified in January 1961 with the issuance of instructional memorandum 20-5-60(1). Pertinent provisions of this and the previous instructional memorandum were incorporated in policy and procedure memorandum 20-6.2 issued January 26, 1962. This latest issuance sets forth explicitly the requirements of the Bureau relating to sampling and testing of materials and construction in connection with the inspection of Federal and Federal-aid highway construction projects.

Its objective is set forth as follows: "The objective of the sampling and testing performed on highway construction projects is to ascertain whether materials used or proposed for use and the construction work accomplished or in progress conform with plans and specification requirements and to alert the contractor and supervising engineers to the need for corrective action in case of nonconformity."

Unless all necessary materials test reports and other reports are available to the Bureau's area engineers, payment on progress vouchers may be deferred until the situation has been corrected.

For each highway project, the State is required to certify as to the conformance of materials incorporated in the work as shown by the results of job control sampling and testing.

We believe that these procedures will be an effective administrative tool. We will continue, however, to exercise vigilance over this phase of highway construction, recognizing that future developments may bring the need for further reappraisal of sampling and testing requirements and practices.

Notwithstanding the general high caliber of engineer and contractor personnel in charge of and performing the engineering and construction work, the possibility always exists that someone who is incompetent, careless, or lacking in integrity may become involved in the control or performance of the work and that some deficiencies in the construction may result. Because of this possibility, the Bureau has deemed it advisable to establish a system, designed to verify that adequate controls are being exercised over all phases of the construction and to disclose and eliminate any weaknesses or malpractices that may occasionally exist.

It would most certainly not be in the public interest nor desirable from the standpoint of Federal-State relations for the Bureau to attempt to set up an organization and system whereby Bureau engineers would be constantly at the site of each construction project to thoroughly inspect every detail of the operations either continuously or at frequent intervals. Even if such intensive inspection were desirable, it would not be possible within reasonable manpower and time limitations. Instead, this more realistic program has been instituted by the Bureau of making inspections in depth on a spot check basis.

Under this program, the Bureau division engineer from time to time designates a number of representative projects upon which comprehensive, thorough, complete, and detailed inspections and analyses of selected phases of the construction and engineering are to be made. The primary purpose of such inspections in depth and analyses of the findings is to provide a continuing basis for evaluating the accuracy, adequacy, and effectiveness of procedures, methods, controls, and operations used by the contractor and the engineer to assure performance of high quality construction, accurate determination of quantities upon which payment is to be made, and correct payment in accordance with the contract provisions. The findings on such inspections will disclose any need for better controls, better supervision, and improvements in specifications and procedures on these particular projects or generally on all projects. If any such need is found, appropriate remedial action is and will be immediately initiated.

The inspection-in-depth program has not been instituted with the idea that the procedures, methods, controls, and operations involved in the direction and supervision of highway construction are generally weak, ineffective, or improper. Instead, it is believed that the opposite is true and that the inspections in depth

will ordinarily serve primarily to verify that such is the case. The principal purpose of inspection in depth is to provide documentation based on thorough investigation that the administration, control, and supervision of the construction work are adequate and proper to assure high quality results in all respects. This inspection-in-depth program supplements rather than supersedes the longstanding program of inspecting each and every active project less thoroughly but more frequently, usually at least once each month. The supplementary inspection-in-depth procedures have been in operation for approximately a year and have proved to be quite satisfactory to accomplish their intended purpose.

I want to make it abundantly clear that we will continue: To strengthen our procedures when our examination thereof indicates its need; to further train our personnel; and to seek reasonable increases in the number of our personnel in certain areas, as right-of-way, so that irregularity in all phases of the highway program will be at an absolute minimum. We would like to eliminate it completely. In this connection, the hearings conducted by the special subcommittee headed by Congressman Blatnik have been particularly beneficial. State highway officials, the contracting industry, and the general public are acutely aware that the highway program is big business and one in which the Congress, the Department of Commerce, and the Bureau of Public Roads will not tolerate the improper expenditure of public funds.

A few words on the general training activities of the Bureau would now be appropriate.

In order to promote the application of advanced techniques in highway engineering and administration, and to improve the administration of the Bureau of Public Roads, the Bureau has for many years conducted an extensive training program.

The Bureau's program of training emphasizes the professional development of its highway engineers, notably in keeping with recent developments in highway engineering technology. Most of this training is conducted by Public Roads employees, although in recent years the Bureau has provided an increasing amount of outservice training when it can be procured more economically from non-Federal facilities. Public Roads also provides a moderate amount of training for State highway department employees. In the past 3 years, some 20 of our inservice training conferences have been attended by State highway people. Some training has also been given employees of other Federal agencies of highway officials of other countries.

Public Roads largest single continuing training activity is its 3-year highway engineer training program. Currently 75 engineering graduates enter this program annually. The capabilities of Public Roads engineering staff clearly indicate the effectiveness of this program. Recently a 2-year training program was established for college graduates in nonengineering fields.

Specialized training courses have been provided by and for Public Roads employees in aerial surveys, appraising, bridge engineering, highway capacity, highway design, highway planning, hydraulics, materials training, supervisory training, personal development, and many other subjects. Courses have varied from a few hours to 5 weeks in duration.

Public Roads training activities for any fiscal year are outlined and necessary funds allocated prior to the beginning of each fiscal year. Field offices and headquarters units submit requests and recommendations to our Training Branch where the individual requests are grouped and courses programed. Training by other Federal agencies and outservice training are also approved at this time, in the event the desired training is not available in Public Roads.

In the Bureau of Public Roads, training is regarded as a requisite to more effective operations. Efficient administration of the national highway program depends on the most effective utilization of many thousands of individual employees.

BIDDING ON FEDERAL-AID CONTRACTS

During the 5½-year period from the enactment of the 1956 Federal-Aid Highway Act on June 29, 1956, to the end of the 1961 calendar year, 42,825 contracts totaling \$15.4 billion in amount have been awarded for the construction of Federal-aid highway projects. Of these, 6,584, with a value of \$7.3 billion were financed with interstate highway funds and State matching funds. These contracts ranged in size from about \$5,000 to over \$15 million. The typical distribution of contracts through the various size ranges is shown in table 9 for the 6,653 contracts awarded in 1961.

TABLE 9.—*Distribution by size ranges of summary by size of contract awarded during calendar year 1961, all Federal-aid highway construction contracts*

Contract size group	Total number of contracts	Percentage of total contracts	Total amount of low bids	Percentage of total value
0 to \$24,999.....	927	13.93	\$11,695,900	0.36
\$25,000 to \$49,999.....	810	12.18	29,636,800	.92
\$50,000 to \$99,999.....	1,057	15.89	78,205,100	2.43
\$100,000 to \$249,999.....	1,473	22.14	240,386,800	7.47
\$250,000 to \$499,999.....	881	13.24	309,519,500	9.62
\$500,000 to \$999,999.....	667	10.03	468,568,800	14.57
\$1,000,000 to \$1,999,999.....	441	6.63	620,556,400	19.29
\$2,000,000 to \$2,999,999.....	188	2.82	459,549,900	14.29
\$3,000,000 to \$3,999,999.....	98	1.47	341,248,400	10.61
\$4,000,000 to \$4,999,999.....	56	.84	249,657,500	7.76
\$5,000,000 to \$9,999,999.....	46	.69	295,669,300	9.19
\$10,000,000 to \$14,999,999.....	8	.12	91,703,500	2.85
Over \$15,000,000.....	1	.02	20,699,200	.64
Total.....	6,653	100.00	3,217,097,100	100.00

All of the 42,825 contracts awarded during the 5½-year period were awarded on the basis of competitive bidding as required by section 112 of title 23. This section requires that all Federal-aid highway construction be performed by contract awarded by competitive bidding unless the Secretary affirmatively finds that because of special circumstances relating to the individual project, some other method is in the public interest. This Federal requirement does not apply to projects constructed under the secondary road plan authorized by section 117 of title 23, United States Code. Nevertheless, the States voluntarily follow the same competitive bidding and award procedures on practically all projects under the secondary road plan. Historically, only about 1 percent of all Federal-aid highway construction is performed by other methods and this 1 percent is concentrated in only a few States. It is limited almost exclusively to projects financed with secondary funds and is nearly all performed under county supervision with county forces.

A total of 38,466 bids were received from contracting organizations for the 6,653 contracts awarded during calendar year 1961. This is an average of 5.8 bids per contract. The 6,653 contracts were awarded to approximately 3,750 different contractors. There are at present approximately 10,000 contracting organizations actively engaging in bidding on Federal-aid highway construction contracts. Such lively competition in bidding assures that contract prices will not be excessive. In fact, the total of all low bids, except for Federal-aid secondary projects, received from 1957 to 1961 is 10 percent less than the total of the engineers' estimated costs for the same projects.

Section 304 of said title 23 imposes a definite responsibility upon the Secretary of Commerce to make certain that the smaller contractors are afforded ample opportunities to bid upon and be awarded contracts for Federal-aid highway construction. This does not mean, of course, that all contracts must necessarily be limited to the sizes that the small contractors can handle. In the interest of economy and effectiveness in construction operations, and also to utilize the potential capacity of large-scale contractors, it is desirable to program a reasonable number of large projects. The construction of the Interstate System is particularly adaptable to large contracts because of the greater quantities involved per mile and because of the desirability of rapidly and simultaneously completing the grading, paving, and structures on long, continuous sections of routes. Therefore, a substantial proportion of the work on the Interstate System is let in relatively large contracts. Although the smaller contractors may not be able to individually bid on these larger contracts, there is nothing to prevent two or more of them from temporarily combining their organizations and resources and bidding on a joint venture basis. It will also be possible for them to participate through the medium of subcontracting.

Furthermore, the construction work financed under the Federal-aid primary, secondary, and urban programs normally consists of small- and medium-size projects well distributed throughout each State.

A survey made by the Bureau of Public Roads in 1961 shows that approximately 88 percent of the contractors engaged in highway construction are in the small business classification, according to a definition supplied by the Small Business

Administration. The survey also clearly indicates that the preponderance of all Federal-aid highway construction contracts are awarded to small business contractors. The survey results for the 1961 calendar year are given in the following table:

Actual work covered by contractors making returns

Fiscal year 1961 (all Federal-aid systems):¹

Total number of contracts.....	4, 423
Total number of contracts by small business.....	3, 620
Total number of contracts by big business.....	803
Percent of contracts by small business.....	82
Percent of contracts by big business.....	18
Total value of contracts.....	\$2, 341, 284, 700
Total value of contracts by small business.....	\$1, 253, 701, 400
Total value of contracts by big business.....	\$1, 087, 583, 300
Percent of value by small business.....	54
Percent of value by big business.....	46

Interstate program, fiscal year 1961:²

Total number of contracts.....	1, 034
Total number of contracts by small business.....	682
Total number of contracts by big business.....	352
Percent of contracts by small business.....	66
Percent of contracts by big business.....	34
Total value of contracts.....	\$1, 298, 301, 700
Total value of contracts by small business.....	\$552, 825, 100
Total value of contracts by big business.....	\$745, 476, 600
Percent of value by small business.....	43
Percent of value by big business.....	57

Primary (except interstate) program, fiscal year 1961:³

Total number of contracts.....	1, 315
Total number of contracts by small business.....	1, 014
Total number of contracts by big business.....	301
Percent of contracts by small business.....	77
Percent of contracts by big business.....	23
Total value of contracts.....	\$775, 263, 100
Total value of contracts by small business.....	\$471, 826, 700
Total value of contracts by big business.....	\$303, 436, 400
Percent of value by small business.....	61
Percent of value by big business.....	39

Secondary program, fiscal year 1961:⁴

Total number of secondary contracts.....	2, 074
Total number of contracts by small business.....	1, 924
Total number of contracts by big business.....	150
Percent of contracts by small business.....	93
Percent of contracts by big business.....	7
Total value of secondary contracts.....	\$267, 719, 900
Total value of contracts by small business.....	\$229, 049, 600
Total value of contracts by big business.....	\$38, 670, 300
Percent of value by small business.....	86
Percent of value by big business.....	14

¹ Represents 75 percent of total value of Federal-aid contracts awarded in 1961 fiscal year.

² Represents 76 percent of total value of Federal-aid interstate contracts awarded by 1961 fiscal year.

³ Represents 75 percent of total value of Federal-aid primary (except interstate) contracts awarded in 1961 fiscal year.

⁴ Represents 71 percent of total value of Federal-aid secondary contracts awarded in 1961 fiscal year.

It is evident from the above tabulations that Federal-aid contracts are awarded in size ranges suitable for both small and big business participation in all of the systems' programs and that provision is thus made for a balanced program that should keep all segments of the highway contracting industry equally busy.

Small business predominates both in number of contracts and total contract value in all three of the programs with the exception of the interstate program where the number of contracts handled by small business greatly exceeds the number handled by big business, but the value of the contracts handled by big business is slightly higher than the value of small business contracts. This is understandable, as large amounts of funds are concentrated in many complex and complicated interchanges which lend themselves to big business for economical construction and operation.

Each proposed project for work does, of course, involve its own individual problems to meet the conditions involved, but generally the size of any given contract is determined on the basis of efficient construction operations, and consideration toward building sections that are usable either on their own or in coordination with other contracts in the area. The benefit by small business as an adjunct in the development of community operations in their sphere of operations is evident.

Section 1.15 of the "Regulations for Administration of Federal Aid for Highways" requires that, except in unusual circumstances, the contracts for Federal-aid highway construction projects be awarded to the lowest responsible bidder. Similar requirements are contained in the State laws and regulations. This requirement necessitates a determination as to the responsibility of the bidder with respect to his ability and reliability to perform the contract work satisfactorily. All but 12 of the State highway departments make such determination before the contractor is permitted to bid. Each prospective bidder is required to submit sworn statements as to financial resources, available equipment, key personnel, and experience. These statements are then evaluated and determination made as to the kind and maximum amount of work the prospective bidder is qualified to handle. The past performance record of the contractor with respect to both accomplishments and attitude is also taken into consideration. The 12 States that do not require prequalification make similar determinations after bids have been opened as to the qualifications of the low bidder.

The regulations say in section 1.16 that with respect to Federal-aid projects, no procedure or requirement for prequalification, qualification, or licensing of contractors shall be approved which, in the judgment of the Administrator, may operate to restrict competition, to prevent submission of a bid by, or to prohibit the consideration of a bid submitted by, any responsible contractor, whether resident or nonresident of the State wherein the work is to be performed, and that requirements for the prequalification, qualification, or licensing of contractors, that operate to govern the amount of work that may be bid upon by or may be awarded to a contractor, shall be approved only if based upon a full and appropriate evaluation of the contractor's experience, personnel, equipment, financial resources, and performance record.

The States procedures for determining the qualifications of contractors for bidding and being awarded contracts are reviewed periodically by the Bureau of Public Roads to ascertain whether they are appropriate and adequate to assure correct evaluations. Spot checks are also made of representative evaluations to ascertain whether the prescribed procedures are being consistently and properly applied.

The precautionary measures described above assure that any contractor who is awarded a Federal-aid highway contract is actually qualified to undertake the project and complete it satisfactorily in accordance with the approved plans and specifications and within the specified time. Inasmuch as considerable judgment is involved in evaluating the contractors' qualifications on the basis of the available information, the system is not entirely foolproof and occasionally contracts have been awarded to contractors who later were found to be somewhat lacking in resources, ability, or integrity. The number of such cases that have occurred are so few as to be insignificant when viewed in comparison to the tens of thousands of organizations that have bid or applied for bidding on the hundreds of thousands of highway contracts that have been awarded during the more than four decades that the Federal-aid highway program has been in operation.

Whenever a contractor fails through default, incompetency, or lack of integrity to perform the contract satisfactorily, immediate steps are taken to assure satisfactory completion of the construction by other means. If circumstances justify, the contractor is then barred temporarily or permanently from bidding upon or being awarded other contracts, not only with respect to Federal-aid highway projects but also other types of projects in which Federal funds participate in the cost.

The total actual expenditures for Federal-aid highway construction, exclusive of expenditures for engineering and rights-of-way, for the 5-year period from 1957 to 1961, inclusive, were \$13.2 billion. Of this total amount, \$6.9 billion or 52 percent represents the cost of materials consumed, \$3.3 billion or 25 percent represents wages paid for the 1.2 billion man-hours of labor employed on the work, and the remaining \$3 billion or 23 percent represents equipment costs, overhead, and profit.

A study made by the Bureau of Public Roads in 1958 indicates that each billion dollars of Federal-aid highway work in active construction status generates on-site employment for approximately 48,000 men with weekly payroll of about \$4,650,000. Approximately 18,130 men of this working force are equipment operators and 2,605 service and repair equipment. Weekly earnings of this group total about \$2,190,000 or \$105 per man. Another 15,605 men are unskilled laborers with total weekly earnings of approximately \$1,150,000 or \$74 per man. All of these earnings figures are based on 1958 wage rates. The remaining 11,660 men are engaged in miscellaneous skilled and semiskilled crafts and in professional, managerial, clerical, and service occupations. The detailed percentage distribution of hours worked and wages paid for each craft is shown in table 10. Average hourly earnings for each craft are shown. These earnings are based on 1958 wage rates. They were computed by dividing total wages paid by total hours worked and therefore include any premium payments for overtime or other reason.

In addition to the employment generated at the actual construction site, there is at least as much and probably somewhat more off-site employment generated. This off-site employment would consist primarily of workmen engaged in the production, processing, and distribution of construction materials and equipment. It would also include employees in the construction contractors' central offices, supply depots, and repair shops. The total quantities and dollar values of the principal kinds of materials used in connection with the \$13.2 billion expenditures during the 1957-61 period are shown in table 11.

TABLE 10.—*Labor usage in highway construction, on a national basis, construction contractor employees only*¹

Occupational group	Percentage distribution		Average hourly earnings ²
	Hours worked	Wages	
Professional and managerial occupations:			
Foremen.....	5.98	7.10	\$2.89
Superintendents.....	2.51	3.29	3.18
Civil engineers.....	.53	.68	3.12
Managerial and official occupations other than superintendents.....	.20	.27	
Office managers.....			2.48
Project managers.....			3.42
Surveyors.....	.17	.19	
Instrumentmen.....			2.31
Accountants.....	.01	.01	2.33
Subtotal.....	9.40	11.54	
Clerical occupations:			
Paymasters, payroll clerks, and timekeepers.....	.50	.50	2.04
Clerks, general office.....	.23	.22	1.97
Bookkeepers and cashiers.....	.05	.05	2.18
Miscellaneous.....	.04	.03	
Subtotal.....	.92	.80	
Service occupations:			
Watchmen, flagmen, and traffic officers.....	.29	.19	1.58
Cooks.....	.01	.01	2.92
Subtotal.....	.30	.20	
Equipment operators:			
Truckdrivers.....	11.82	10.50	2.23
Tractor operators and loaders.....	5.20	5.85	
Tractor operators.....			2.53
Front end loader operators.....			2.59
Motor grader operators.....	4.14	5.04	2.70
Scraper operators.....	4.07	4.80	2.62
Crane, hoist, dragline, and shovel operators.....	3.98	5.09	
Crane operators (crawler type).....			2.78
Truck crane operators.....			3.02
Hoist operators.....			3.56
Dragline operators.....			2.57
Shovel operators.....			3.09
Bulldozer operators.....	3.85	4.57	2.63
Roller operators.....	1.83	1.78	2.16
Operators of concrete-mixing and concrete paving machines.....	.67	.67	
Concrete mixer operators.....			2.34
Concrete paver operators.....			3.21

See footnotes at end of table, p. 33.

TABLE 10.—*Labor usage in highway construction, on a national basis, construction contractor employees only*¹—Continued

Occupational group	Percentage distribution		Average hourly earnings ²
	Hours worked	Wages	
Equipment operators—Continued			
Operators of asphalt plants and asphalt paving machines.....	0.49	0.54	
Asphalt plant operators.....			\$2.65
Asphalt paver operators.....			2.38
Batch plant operators.....			1.74
Concrete and asphalt finishing machine operators.....	.41	.61	2.47
Rock crusher and gravel plant operators.....	.40	.50	
Crusher operators.....			2.74
Piledriver operators.....	.34	.49	3.21
Off-highway hauling equipment operators.....	.27	.27	2.38
Subgrading machine, form grader, and stone spreader operators.....	.17	.17	
Subgrading machine operators.....			2.49
Stone spreader operators.....			2.30
Other construction machinery operators not elsewhere classified ³	.10	.12	
Trenching machine operators.....			2.56
Apprentices.....	.03	.02	
Subtotal.....	37.77	41.02	
Crafts associated with equipment operation:			
Oilers of machinery.....	2.38	2.39	2.43
Mechanics.....	2.50	3.07	
Mechanics.....			3.05
Master mechanics.....			4.07
Mechanics helpers.....			2.18
Firemen.....	.23	.25	2.43
Engineers, stationary.....	.22	.30	
Pump operators.....			3.03
Air compressor operators.....			3.03
Piledrivers.....	.10	.12	3.39
Subtotal.....	5.43	6.13	
Miscellaneous crafts:			
Carpenters.....	6.55	7.78	2.86
Concrete finishers.....	2.06	2.28	
Concrete finishers.....			2.70
Concrete rubbers.....			2.18
Drillers and mudjack operators.....	1.05	1.06	
Drill operators.....			2.61
Air tool men.....			1.85
Structural steelworkers and welders.....	1.01	1.42	
Structural steelworkers.....			3.65
Welders.....			2.76
Reinforcing steelworkers.....	.64	.75	2.86
Metal road form setters and form tamper operators.....	.56	.47	
Form setters, metal road forms.....			2.18
Bituminous paving occupations.....	.44	.42	
Asphalt rakers.....			2.34
Asphalt distributor operators.....			2.23
Pipelayers.....	.32	.27	2.22
Blasters and powdermen.....	.31	.33	
Blasters.....			2.53
Painters.....	.12	.15	3.32
Chainmen and rodmen (surveying).....	.09	.07	2.11
Electricians.....	.08	.12	3.84
Brick and stonemasons, and tile setters.....	.07	.09	
Bricklayers.....			2.98
Stonemasons.....			3.32
Apprentices.....	.05	.05	
Carpenter apprentices.....			2.30
Ironworker apprentices.....			2.67
Plumbers.....	.04	.05	3.26
Other.....	.28	.23	
Subtotal.....	13.67	15.54	
Unskilled occupations.....	32.51	24.77	1.84
Total or average.....	100.00	100.00	2.42

¹ Based on reports received from 3,425 active Federal-aid projects, covering the 4-week period from July 13 to Aug. 9, 1958.² Includes overtime.³ Includes rig operators, dredge levermen, and trenching machine and stabilizer operators.

TABLE 11.—*Cost distribution of \$13.232 billion 5-year Federal-aid highway construction expenditures (1957-61)*

Item	Unit	Quantity	Cost (billions)	Percent of total
Aggregates.....	Million tons.....	1,404.0	\$2.238	16.9
Steel.....	do.....	6.1	2.029	15.3
Cement.....	Million barrels.....	171.4	.869	6.6
Bitumens.....	Million tons.....	19.5	.396	3.0
Concrete pipe.....	do.....	7.3	.171	1.3
Clay pipe.....	do.....	.2	.025	.2
Lumber and timber piling.....	Million board feet.....	1,203.0	.158	1.2
Petroleum products.....	Million gallons.....	1,941.0	.423	3.2
Explosives.....	Million pounds.....	304.8	.080	.6
Miscellaneous material.....			.465	3.5
Total material costs.....			6.854	51.8
On-site labor.....	Billion man-hours.....	1.2	3.282	24.8
Equipment ownership, overhead, and profit.....			3.096	23.4
Grand total.....			13.232	100.0

All highway agencies, public officials, contractors, and in fact the entire highway industry have a definite responsibility to see that the highway construction program is accomplished at the minimum cost compatible with assuring a high-quality product. This responsibility also extends to the producers and distributors of materials and equipment, to the engineers, craftsmen, and laborers who may be employed upon the work, and even to the public in general. We and our families and neighbors are the ones who as taxpayers will ultimately pay the costs and also the ones who must struggle along under intolerably congested and hazardous traffic conditions until the highways we use are completed to adequate standards. Therefore, we all have a very real and personal interest in seeing that everything possible is done to get the highway construction task completed as expeditiously and economically as possible.

It is important to point out that there is no intention to suggest that efforts to minimize costs should take the form of paying construction workers less than fair wages, nor that materials and equipment producers should receive less than a fair price for their products, nor that contractors should realize less than a fair profit on their work. Instead, every effort should be exerted to find ways and means of eliminating or simplifying cost-generating and time-consuming features and of achieving greater productivity for the efforts expended. It is the duty of both the contractor and the engineer to see that the taxpaying public obtains value received from the money expended.

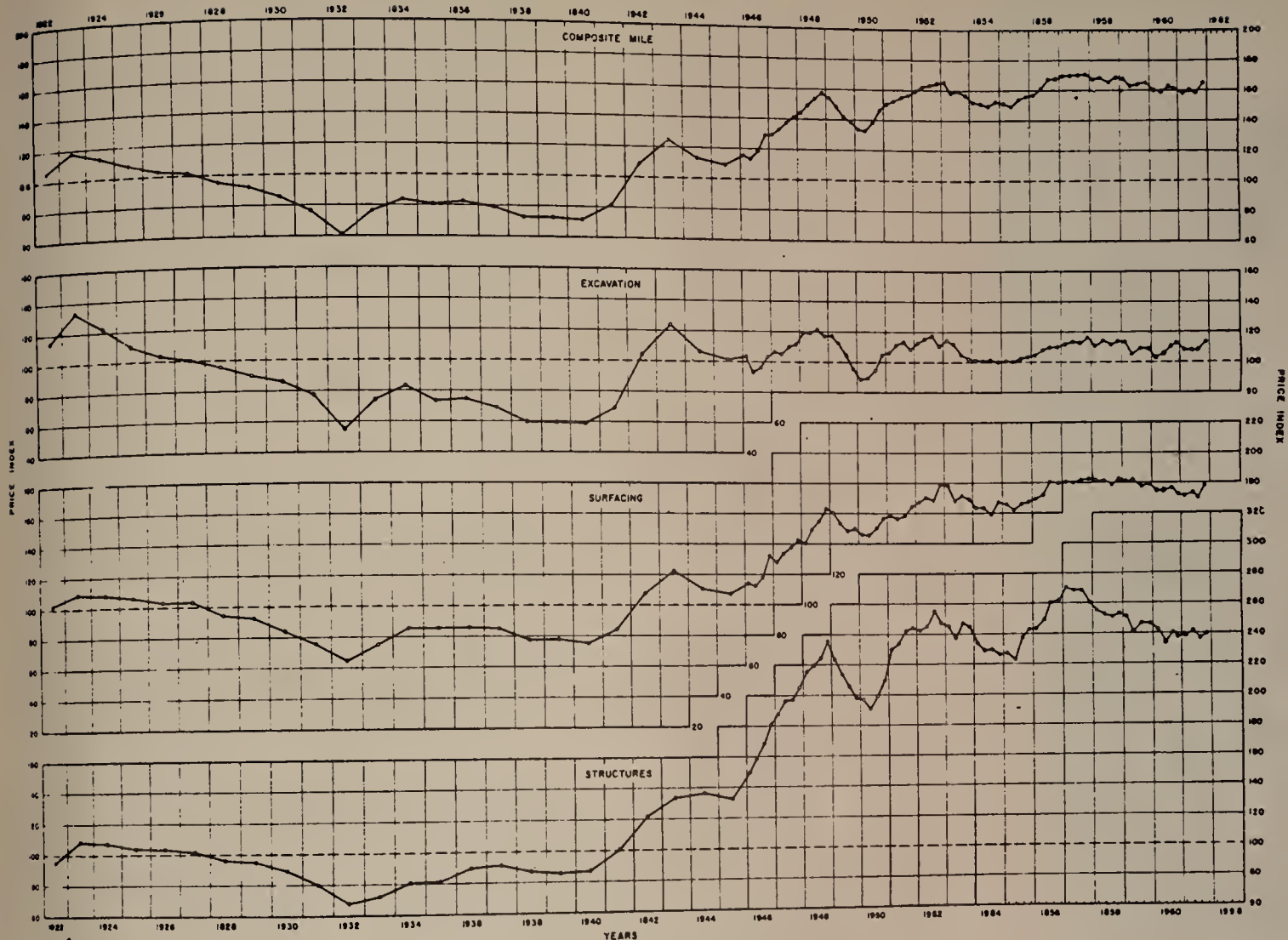
Data collected and compiled by the Bureau of Public Roads since 1923 shows that Federal-aid highway construction bid prices have remained quite stable for the past 10 years. The average unit bid price for common excavation is now almost exactly the same as it was 40 years ago in 1922. This stabilization in cost has occurred at the same time that wage rates and prices for materials and equipment have been almost constantly rising. This seeming paradoxical situation is clearly the result of greater mechanization of the work and the tremendous improvements in equipment and methods. The contractors and the equipment producers are entitled to the credit for this achievement. The chart below shows the trend of unit bid prices for excavation, surfacing, structures, and a composite of these items for the period from 1922 to the end of 1961.

NEW MATERIALS, EQUIPMENT, AND METHODS

New and improved materials, equipment, and methods are constantly being developed and applied in the highway construction field. It has always been the policy of the Bureau of Public Roads and of the State highway departments to endeavor to keep abreast of such developments and to take full advantage of them in the highway program as soon as their merits can be determined. This policy is based on three considerations: (1) To improve the quality of the highways; (2) to effect economies in construction and maintenance costs; and (3) to foster private enterprise by providing market opportunities for new products, equipment, and processes suitable for utilization in the highway construction program.

PRICE TRENDS IN HIGHWAY CONSTRUCTION

AVERAGES FOR 1925 TO 1929 TAKEN AS BASE



94561 0 - 02 (March 1954)

In order to permit use of new materials, equipment, and processes, it is often necessary to revise existing standard specifications to eliminate restrictive provisions. Inasmuch as under the law the initiative in preparing specifications and plans is vested in the States, the Bureau's role in such matters is that of calling attention to and encouraging the adoption of possible improvements. Efforts are also constantly being made to effect greater uniformity in the widely differing requirements of the specifications of the several States with respect to the same construction items. The achievement of the maximum uniformity that is realistically possible is essential from the standpoint of economy of construction. Nevertheless, the desire for uniformity should not result in stifling the incentive for developing and adopting new and better ideas.

To encourage the use on a trial basis of innovations in highway construction, the Bureau and States have been engaging in an experimental construction program. The following paragraphs are quoted from PPM 60-2 on that subject:

"2. Objectives

"The objectives of the experimental highway construction program are—

"(a) To determine and evaluate the absolute or relative merits of new, nonstandard, or alternate highway design and construction features by utilizing them in highway construction work and observing their behavior under actual highway service conditions.

"(b) To disseminate the findings and promote the adoption and use in future highway design and construction of those features found to produce the best results from the standpoint of service behavior and economy of construction and maintenance.

"(c) To ascertain the desirability of further experimentation and research with respect to such features.

"3. Definitions and character of projects

* * * * *

"(c) An experimental feature may be either a material, process, method, equipment item, or other feature that—

"(1) Has not been sufficiently tested under actual service conditions to merit acceptance without reservation in normal Federal-aid highway construction; or

"(2) Has already been accepted but is included along with alternate accepted features for the purpose of determining their relative merits under comparable conditions.

* * * * *

"7. Subject summaries

"The data contained in the experimental project reports will be analyzed and evaluated in the Washington office. Subject summaries will then be prepared by the Office of Engineering with the cooperation of the Office of Research, consolidating for each experimental subject the findings on all projects in which comparable experimental features or alternate features have been incorporated. These summaries will include final or tentative conclusions on the merits of the experimental feature to whatever extent such conclusions are justified on the basis of evaluation of the data. Recommendations with respect to desirable further experimentation regarding the subject will also be included in the summary reports. Copies will then be distributed to Public Roads offices and to the State highway departments for consideration in connection with the use of the experimental feature in subsequent highway construction in connection with undertaking further experimentation or research on the same or related subjects.

* * * * *

"9. Additional experimental projects

"(a) Division and regional offices should constantly be on the alert for new ideas that show promise of developing improved practices, methods, designs, materials, and equipment and of improving the quality or the economy of the highway construction produced, or both. It is also their responsibility to encourage the State highway departments to undertake experimental construction projects for the purpose of ascertaining the merits of such features."

Although the Bureau of Public Roads favors maximum utilization of new developments in materials and processes, it also takes the position that the merits of such materials and processes should be adequately demonstrated before they are accepted for incorporation or use in highway construction financed with public

funds. This position is essential in order to protect the investment of such funds and in order to assure that the construction produced will serve its intended purpose of providing for the safe, economical, and expeditious movement of the traffic loads it was designed to carry and for the intended period of service life. Inferior quality of construction or unnecessarily high construction costs can, of course, not be tolerated merely for the purpose of utilizing an unproven new material or process. In general, it is considered to be the responsibility of the producer of a new material or sponsor of a new process to perform at his own expense the necessary research and testing to demonstrate its value, at least to the point where there is definite evidence that the material or process shows promise of being able to perform its purported purpose at a reasonable cost. Nevertheless, provision is made under PPM 60-2, from which paragraphs were quoted above, for a program by means of which proposed new materials and processes can be incorporated in actual highway construction, their merits determined by direct inservice comparison with alternate materials and processes, and the findings disseminated with recommendations as to the acceptability and desirability of such materials and processes for utilization in the highway program. The findings may also indicate the need for further testing through additional experimental construction or through laboratory methods. In some cases the findings may suggest certain changes to improve the material or process or may even disclose unsuspected desirable means of utilization.

In addition to the evaluation accomplished through the experimental construction program, the Physical Research Division of the Bureau of Public Roads is continuously engaged in laboratory research on new materials and processes. Such research is conducted both independently in the Bureau's own laboratories and in cooperation with State highway departments, educational institutions, other Federal agencies, and other public and private organizations having suitable research facilities.

From time to time the Bureau of Public Roads has undertaken certain special projects and issued special reports pertaining to highway materials and their use in highway construction. Examples of these are given below:

1. Guide specifications for rubberized asphalts

In 1960 the Bureau in cooperation with appropriate representatives of the asphalt industry developed and issued for use by highway agencies a guide specification for rubberized asphaltic materials.

2. Special reports

Special reports and informational memorandums to the Bureau field offices and State highway departments have been issued in 1960 and 1961 on many new materials and new uses of materials, including the following:

- (a) Asbestos fibers in bituminous concrete.
- (b) Urethane foam.
- (c) Lime as a stabilizing agent in bituminous mixtures and in subgrades and shoulders.
- (d) Plastic pavement markings.
- (e) Aluminum corrugated culverts.
- (f) Welded aluminum structures.

3. Quarterly reports on new methods and equipment

A report is prepared and issued quarterly to the Bureau field offices and State highway departments describing new construction methods and equipment that have been used on highway construction projects during the quarter. These reports which are based on information reported by Bureau and State engineers making inspections of active construction projects, often include data on new materials and new uses of materials. Bureau engineers actively participate as officers or members of numerous committees that: (1) Promote or engage in research related to materials; (2) evaluate the findings of research; (3) prepare specifications for new materials and processes; (4) issue reports and make recommendations relative to the use or nonuse of materials and processes; (5) foster liaison and cooperative efforts between highway agencies and the materials producing industry in solution of mutual problems related to highway materials and their uses. Examples of such activities are as follows:

1. Committees of American Association of State Highway Officials

(a) *Committee on materials.*—A Bureau engineer serves as secretary and three additional Bureau engineers are members. The remaining membership consists of a representative from each State highway department. This committee pre-

prepares specifications for highway materials and for materials testing procedures and is currently engaged in preparing a manual covering inspection and quality control of highway construction materials.

(b) *Committee on construction.*—A Bureau engineer serves as secretary and an additional Bureau engineer is a member. The remaining membership consists of a representative from each State highway department. This committee prepares recommended specifications and manuals for highway construction.

(c) *Committee on bridges.*—A Bureau engineer serves as secretary and one additional Bureau engineer is a member. The remaining membership consists of a representative from each State highway department. This committee prepares specifications for bridge design and construction.

2. *Committees of highway research board*

The highway research board has a department of materials and construction without about 20 divisions operated under it, each of which is engaged in or fosters research into some of the problems relating to development, evaluation, control, and utilization of materials for highway construction. Representatives of the Bureau of Public Roads and State highway departments are active officers or members of the department and nearly all of the divisions.

3. *Joint cooperative committee of American Association of State Highway Officials and American Road Builders Association*

This joint committee, which is composed of about 25 representatives of the two associations and of the Bureau of Public Roads, operates to develop and encourage adoption of solutions to troublesome problems of mutual concern confronting the highway departments and the various segments of industry. It has been highly successful in accomplishing its objective. In addition to the main committee, a number of permanent and ad hoc subcommittees have been organized to consider certain problems or phases of activity. Each of these subcommittees has a Bureau of Public Roads engineer as chairman and several State and industry representatives as members. Special task forces have been or are being established to work on specific individual subjects. The presently organized subcommittees are as follows:

- (a) Structural supports for highway signs.
- (b) Standard short span bridges.
- (c) Mixing time for portland cement concrete and asphaltic concrete.
- (d) Compaction of earthwork.
- (e) Development, appraisal, and recommendation of new construction equipment.
- (f) Development, appraisal, and recommendation of new maintenance equipment.
- (g) Development, evaluation, and recommendation of new highway materials.

As a result of the research and experimentation work and of the activities of the numerous committees described above, great strides are constantly being made in exploring, developing, evaluating, and applying new and improved materials, equipment, processes, and methods to produce high quality of construction at lower costs and in less time. In addition to the accomplishments in these respects in the actual construction phase of the work, there have also been outstanding achievements of a similar nature in recent years in the related engineering phases of the highway program. Tremendous savings in time and engineering manpower are being realized through the development and application of electronic computation methods and aerial survey and photogrammetric techniques to highway and bridge location and design and to numerous other phases of the highway engineering work.

In addition to the savings in time and manpower, the extended application of these new processes and techniques has made it possible to make much more thorough and comprehensive investigations, analyses, evaluations, and comparisons than could reasonably be done by methods formerly in general use. Exploratory and development work is continually underway along all these and many other lines, including the adaptation of nuclear science to the highway field. Undoubtedly numerous new, better, faster, and less expensive ways of accomplishing the highway engineering and construction work will be developed and applied in the near future for the benefit of all of us as highway users and taxpayers.

BENEFITS OF THE FEDERAL-AID HIGHWAY PROGRAM

Specific highway user benefits

The immediate benefits of the program of Federal-aid highway improvements are realized in improved conditions of operation of motor vehicles, both passenger and freight. These benefits are brought about by the construction of smooth driving surfaces, by the elimination of sharp curves and steep grades, by the separation of opposing traffic streams with a median strip, by the elimination of private entrances and intersections at grade, and by the provision of scientifically designed traffic interchanges.

These are not fanciful or illusory benefits, but are very real and concrete ones, which can be readily perceived by the highway user. The motorist who wheels from a narrow, congested two-lane road, by way of a carefully designed ramp and acceleration lane, on to a controlled-access interstate highway does not need to be told that he has exchanged stop-and-go driving for a free-running ride, with greater safety at higher speeds. The over-the-road trucker knows full well that his operations benefit, in lowered fuel, tire, and maintenance costs and reduced travel time, from highway improvements that flatten out grades, reduce rise and fall, and enable his vehicle to move freely, at uniform speed, over long distances.

User benefits are classified into four categories: (1) Reduced operating costs; (2) savings in travel time; (3) reduction in accident costs; and (4) reduction in the strains and discomforts of congested and nonuniform driving. The fourth category is less tangible than the others, but the clicking of tollbooth cash registers gives ample evidence that the motorist places considerable value, not only on time savings, but also on a freerunning, uniform ride.

Estimates of the dollar value of user benefits cannot be highly accurate; but there is general agreement that those to be derived from the improvement of the Interstate System will be of great magnitude. Estimates made by the Bureau of Public Roads indicate that, starting at scratch on July 1, 1956, the user benefits of the Interstate System were \$1.3 billion in 1961; will be \$1.7 billion in the current year of 1962; will rise to \$5 billion as the program gets into its later stages in 1968; and will reach \$9 billion in 1973, the year of completion of the program. The consulting firm of Wilbur Smith & Associates, in its 1961 report, "Future Highways and Urban Growth," (p. 296) estimates the benefits in 1980 of the completed Interstate System to be \$11.7 billion. The Public Roads estimate for that year is \$11.4 billion.

For the other Federal-aid systems, the program benefits estimated by the Bureau of Public Roads for the same years are as follows:

[Billion dollars]

Year	Other Federal-aid primary	Federal-aid secondary	Total
1961.....	0.9	0.3	1.2
1962.....	1.2	.4	1.6
1968.....	2.9	1.0	3.9
1973.....	4.9	1.6	6.5
1980.....	7.7	2.8	10.5

Other benefits

In addition to benefits ordinarily associated with users of the highways, there are a number of benefits that extend to other and nonuser groups. These benefits can be indicated in various ways. Some of the effects accruing to nonusers can be measured in dollar terms—for example, land value increases along specific highway improvements. There are other benefits—intangible benefits which cannot be accounted for in dollar values, for example, enhanced opportunities for education, recreation, and cultural activities. These highway benefits can be summarized in terms of affected groups, including agriculture, industry, trade and commerce, public services, and residential areas.

Data from some 30 land value studies show that in almost all cases the value of land near highway facilities increased significantly. Where land value changes in highway-influenced areas were compared with changes in areas not influenced, property values near the highway increased five times faster than in the control areas. In rural areas, the U.S. Department of Agriculture has estimated that

the sales price of farm properties located on dirt roads would have been from 3 to 11 percent higher if the same properties had been served by gravel roads and from 7 to 32 percent higher if a paved road instead of a dirt road had been involved.

Land value increases along improved highways no doubt reflect the major role highways have played in the American agricultural revolution. Both passenger automobiles and trucks are particularly well suited to the needs of farmers and farm operations. Highway transportation tends to reduce the competitive advantage of farmlands near market areas by bringing more distant land into the competitive market for farm products and opening up social, educational, or cultural opportunities that may have been too remote prior to a highway improvement. The importance of increased highway mobility on farm operations is suggested by the fact that the number of farm operators working off the farm has increased from a million and a half to almost two and a half million during the past 15 years—the same period when the number of hired farm workers has increased for less than a million to almost three million. The association between modern highways and increased off-farm employment has been noted in several specific locations, including North Carolina and Iowa.

There is considerable evidence suggesting the important role which highways play in the industrial development of land nearby. These indications of the influence of highway facilities consist primarily of events or activities—for example, the establishment of new industrial and commercial establishments—which take place in association with highway improvements. The apparent relationship between modern highways and industrial and commercial development has been demonstrated in studies of such highway facilities as Massachusetts Route 128, the Dallas Expressway, the Gulf Freeway, the Atlanta Expressway, and the Santa Ana (Calif.) Freeway. In recent years, industry has become increasingly conscious of the advantages to be gained from access to highways. Location along a modern-type highway makes it possible for industry to put itself in communication with those aspects of society—labor markets, suppliers, etc.—upon which its success depends. For example, industrial investment along Massachusetts Route 128 during a recent year amounted to almost two-fifths of all new investment in the Boston metropolitan area. In Indiana almost half of the 354 new industrial plants established during the past 3 years are located within a 45-mile band straddling the Indiana Turnpike. And during a recent period in Alameda County, Calif., over 40 percent of the industrial development occurred within an area most subject to highway influence comprising less than 10 percent of the county's industrial acreage.

Any business seeks to locate itself in such a way that it can most effectively serve its function, and improved highway transportation ordinarily has an important bearing on this. Increased use of highway transportation has been associated with larger and larger trade areas—from about 5 or 6 miles in the early part of the century to 30 to 150 miles at the present time. During this period the number of retail trade establishments increased in number from about 1.6 to 1.9 million; sales volume increased from approximately \$46 to \$200 billion in 1958 in current dollars; and population increased from 132 to 173 million.

Effects on commercial areas bypassed by modern highways have received considerable attention. The experience of these areas following the opening of bypass or traffic relief routes has generally been good. In fact, about two-thirds of the approximately 80 bypassed areas for which retail trade activity has been analyzed have experienced either a greater increase or a smaller decrease than that which occurred in a comparable area without a bypass route.

Highway effects on certain public services have been fairly spectacular. In education, for example, improved highway transportation has been associated with a decline in the number of rural schools of from 200,000 to 25,000 during the past 40 years. But during this same period the number of pupils transported in schoolbuses has of course increased, and the cost of transporting each pupil has declined. This lower cost appears to be due partly to improved highway transportation. During the past 30 years, the daily mileage traveled by each bus has nearly doubled—changing from 22 to 40 miles.

Postal services have also undergone changes which are partly attributable to highway improvements—for example, longer rural routes and fewer post offices. Changes in rural mail delivery routes show a remarkable improvement in productivity. During the last 40 years, the average rural delivery route has more than doubled in length—increasing from 27 to 56 miles.

The phenomenal increase in population of U.S. metropolitan areas is well known. Since 1950, about 97 percent of the growth in population has occurred in metropolitan areas. Within metropolitan areas, the suburban fringes are ex-

periencing the fastest growth rates—approximately seven times as fast as the rate of growth for central cities. This suburban explosion has depended significantly on the large-scale conversion of land to residential purposes. Improved highway transportation tends to bring more land close enough in traveling time to be suitable for development. The effect of highways in increasing the supply of land readily available for residential use has been observed and recorded in a number of locations—for example, in Atlanta, Pittsburgh, Chicago, Los Angeles, Oakland, Boston, and San Antonio. In San Antonio, for example, the number of residences increased by 500 percent along a section of that city's Loop 13 Expressway in the 1955–58 period when this section was opened to the public. Land removed from the highway's influence experienced a 16-percent increase in number of residences and apartments during this same period.

The effectiveness of modern highways in improving conditions in economically depressed areas has often been demonstrated in foreign lands where we have cooperated in their roadbuilding programs. What is not so well recognized is that within relatively short distances of many of our larger metropolitan centers are areas of severe economic depression, such as the Appalachian region of Eastern and Southeastern United States, and the Upper Peninsula of Michigan. Old sources of income in these areas, such as lumbering and mining, are now either declining or mechanized and can no longer support the population. However, most of these areas have great potential resources in mountains, forests, streams, and lakes which have tremendous recreational potential that can be realized only through the development of adequate highways to and within such regions.

A case in point is the new business related to recreation and tourism that has come to the Virginia-North Carolina-Tennessee area following construction of the Skyline Drive and the Blue Ridge Parkway. A new development made possible by adequate highways that is just now spreading through some portions of this area is the building of vacation homes for urban residents, singly or in colonies. Good roads now make such development practicable within a radius of 75 to 175 miles of our larger cities (from 2 to 4 hours' driving time). Construction of new interstate, primary, and secondary highways will make it possible to extend this radius considerably, and thus make this kind of development possible in areas, such as the Monongahela National Forest region of West Virginia, now considered too remote.

Better transportation in these areas may well help to revive their declining industries or to foster the establishment of new ones. With the prospect of cheaper transportation costs both of raw materials and finished products, and of drawing a labor force from an enlarged radius, commercial and industrial operations which cannot now make their way financially will perhaps find it entirely possible to stay in business and make a reasonable profit.

HIGHWAY SAFETY

As an average during 1961, about 11,000 miles of the National System of Interstate and Defense Highways were open to traffic. While not all of this mileage was improved to ultimate standards adequate for traffic anticipated in 1975, it had all been brought at least to the stage of being fully capable of handling current traffic.

Along with capacity to handle large volumes of traffic, these modern freeways, with divided roadways separating opposing traffic, planned interchanges, and controlled access provide a high degree of safety to motorists. It is rather accurately estimated that having these 11,000 miles of the Interstate System in use during 1961 saved some 2,000 lives that would otherwise have been lost in traffic accidents, based upon reliable accident experience statistics covering different types of highways.

In addition to the savings in lives, it is estimated that these 11,000 miles of interstate highways have also resulted in at least 60,000 fewer accidents and 25,000 fewer injuries. The resulting dollar savings in accident costs during 1961 is estimated to be well over \$100 million. This is a substantial dividend from this one feature alone.

As the interstate program progresses and more miles are completed, and as drivers become more accustomed to freeway travel, the total annual savings in lives and reduction in accidents and injuries will rise. It has been conservatively estimated that in 1972, when the system is completed, more than 5,000 people will be spared from death on the highway every year as the direct result of this program.

Mr. WHITTON. Again, as I have stated, Mr. Chairman and members of the committee, it is a pleasure to appear before you, to present the views of the Department of Commerce on H.R. 9725, introduced by Congressman Fallon; H.R. 9848, introduced by Congressman Scherer; and on H.R. 11199, introduced by Congressman Buckley. The latter bill was based on draft legislation submitted to the Congress by the Department of Commerce on April 6, 1962, to implement certain of the recommendations contained in the President's recent message on transportation, and to provide authorizations for the Federal-aid A-B-C highway program and for other Federal road construction programs at levels recommended by the administration.

Also, I am furnishing the committee certain up-to-date and pertinent information on the present status of the Federal-aid highway program, as well as other current matters of importance in the highway field. We feel that it is our responsibility to keep the Congress fully informed of developments in this vital program.

The President's message on transportation was submitted to the Congress on April 5, 1962 (H. Doc. 384, 87th Cong., 2d sess.). On April 6 the Secretary of Commerce sent to the Congress a proposed draft of bill to be cited as the Federal-Aid Highway Act of 1962. The purpose of H.R. 11199, identical to the administration's draft proposal, is to provide authorizations for the Federal-aid A-B-C highway program, as well as for other direct Federal highway programs and to carry out specific recommendations of the President made in his transportation message.

The Federal Highway Act of 1960 (74 Stat. 522) authorized the appropriation of funds for the Federal-aid primary and secondary highway systems and extensions thereof within urban areas, the A-B-C program to which I have referred, for the fiscal years 1962 and 1963 in the amount of \$925 million for each year. Funds authorized for the fiscal year 1962 were apportioned to the States in 1960, and the final apportionment of funds authorized for the fiscal year 1963 was made by the Secretary of Commerce, effective October 10, 1961.

Since all authorized funds for the A-B-C highway program have been apportioned, it is necessary that the Congress give consideration during this session to the enactment of legislation making annual authorizations for the fiscal years 1964 and 1965 for continuation of the construction of these highways.

The pending legislation, H.R. 9725, would provide authorizations for the fiscal years 1964 and 1965 for the Federal-aid primary and secondary highway systems and their extensions within urban areas. Authorizations proposed by H.R. 9725 for the fiscal year 1964 would amount to \$950 million for the A-B-C program, an increase of \$25 million over the amount of \$925 million authorized by the Congress for this program for fiscal year 1963. For the fiscal year 1965 there would be an increase to \$975 million, or \$50 million over the fiscal 1963 level.

The net effect of annual increases of \$25 million in the A-B-C authorizations, beginning with fiscal 1964, and continuing until a \$1 billion annual level is reached for fiscal 1966, would be to increase the total authorizations of A-B-C funds by \$75 million during the trust fund period, of which \$25 million would be authorized by H.R. 9725 and \$50 million would result from continuing the annual increases for

fiscal years 1966 and 1967. Such additional authorizations would increase expenditures from the trust fund by a like amount.

In his special message to the Congress of February 28, 1961 (H. Doc. 96, 87th Cong., 1st sess.) the President recommended that the authorizations for the regular A-B-C programs be increased by \$25 million every 2 years beginning in 1964 until a \$1 billion level is reached and maintained. The authorization proposed in H.R. 9725 for the A-B-C program for the fiscal year 1965 is not, therefore, in line with the President's recommendations.

The Department of Commerce favors instead enactment of the authorization levels proposed in H.R. 11199. Section 2 of that bill would authorize funds for the Federal-aid primary and secondary systems and extensions thereof within urban areas in the amount of \$950 million for each of the fiscal years 1964 and 1965. This represents an increase of \$25 million over the authorization level for the 2 previous fiscal years and is in accordance with the recommendations of the President.

Mr. SCHERER. Mr. Chairman.

Mr. FALLON. Mr. Scherer.

Mr. SCHERER. Mr. Whitton, you will note the bill I introduced calls for the lesser amount, as recommended by the President. Is that not right?

Mr. WHITTON. Yes, sir.

Mr. SCHERER. All right.

Mr. WHITTON. This increase in the authorization for the A-B-C program is considered necessary for its orderly continuation consistent with the national interest expressed in section 101(b) of title 23, United States Code. It is also in line with the increased authorizations provided for the Interstate System under section 103 of the Federal-Aid Highway Act of 1961 (75 Stat. 122).

Under the provisions of both H.R. 9725 and H.R. 11199, authorizations for the forest highway program would be made for fiscal years 1964 and 1965 in the same amount, \$33 million, authorized for these highways by the 1960 act for fiscal years 1962 and 1963.

With respect to public lands highways, the bills would continue for fiscal years 1964 and 1965 authorizations at the \$3 million level previously authorized for fiscal year 1963.

We consider that the sums proposed by this legislation are essential to maintain these programs at an appropriate level.

Other highways provided for—forest development roads and trails, national park roads and trails, national parkways and Indian reservation roads, as well as a proposed new category in H.R. 11199 to be known as public land development roads and trails—are under the primary jurisdiction of other departments of the Federal Government. Justification for these programs will be furnished by these departments.

Mr. SCHERER. Mr. Chairman, may I interrupt Mr. Whitton?

Mr. WHITTON. Yes, sir.

Mr. SCHERER. This new category of highways, as you say, is proposed by H.R. 11199. Have funds from the trust fund heretofore been appropriated for this new category?

Mr. WHITTON. No, sir.

Mr. SCHERER. They have not?

Mr. WHITTON. No, sir.

Mr. SCHERER. What is this new category? Would you explain it?

Mr. WHITTON. I believe that the other departments that are recommending these programs including the new category proposed, should explain them.

Mr. SCHERER. Are they here?

Mr. WHITTON. The man from the Forest Service is here.

Mr. SCHERER. Where has the money come from for these new highways before?

Mr. WHITTON. From the general fund.

Mr. SCHERER. From an appropriation for these funds?

Mr. WHITTON. From the general fund, I understand.

Mr. SCHERER. This would be a new charge to the trust fund.

Mr. WHITTON. Not to my understanding. It is my understanding it will be out of the general fund.

Mr. SCHERER. That would still come out of the general fund?

Mr. WHITTON. That would be my understanding.

Mr. FALLON. Will the gentleman yield?

Mr. SCHERER. Yes.

Mr. FALLON. Isn't it true, Mr. Whitton, that all of these categories come out of the general fund?

Mr. WHITTON. Yes, sir.

Mr. EDMONDSON. If I understand correctly, the change being proposed is that they be appropriated for in the same general bill, or, rather, authorized in the same general bill rather than by authorizations by the different departments. Is that it?

Mr. WHITTON. They are included in this bill, but I would assume they would continue to be financed out of the general fund as they have been in the past.

Mr. EDMONDSON. But you are treating the authorization for it as a category of this bill?

Mr. WHITTON. In this bill, yes, sir; but the justifications for the authorizations will be made by the departments, I understand.

I will turn now to the specific recommendations of the President for amendments to the Federal-aid highway legislation made in his recent and timely message on transportation, a subject vital to the interests of the entire country.

One of these recommendations, concerning relocation assistance for those displaced as a result of Federal-aid highway construction, is not entirely new as the President had referred to this problem in his special message on highways of more than a year ago.

On the matter of displacement of families, the President mentioned his previous message and stated that:

To move toward equity among the various federally assisted programs causing displacement, I recommend that assistance and requirements similar to those now applicable to the urban renewal program be authorized for the Federal-aid highway program * * *.

Section 3 of the bill, H.R. 11199, now under consideration by this committee, would implement this recommendation. The Secretary of Commerce would be authorized to require assurances by the State highway departments of feasible temporary relocation methods and availability of suitable dwellings for families displaced by Federal-aid highway projects, and to approve Federal-aid participation in State relocation payments, with specified limitations, for reasonable and necessary moving expenses and actual property losses not otherwise compensated.

The limitations on relocation payments would be:

- (1) \$200 in the case of an individual or family; and
- (2) \$3,000 in the case of a business concern or nonprofit organization (or if greater, the total certified actual moving expenses).

The proposed provision is designed to alleviate certain hardships to families and businesses displaced as a result of Federal-aid highway construction.

Mr. SCHERER. May I interrupt again, Mr. Chairman?

Mr. FALLON. Mr. Scherer.

Mr. SCHERER. As to these relocation costs for displaced families, these costs would come out of the trust fund?

Mr. WHITTON. Yes, sir.

Mr. SCHERER. That means we would build fewer miles of highways, would it not?

Mr. WHITTON. Not necessarily, Mr. Congressman. We could extend the life of the program a week or two and pick up the money.

Mr. SCHERER. Under the legislation as it now exists there would be fewer miles.

Mr. WHITTON. Well, there would be some of the money spent this way, and whether or not we would have enough in the trust fund as it is now financed, to handle that additional cost, I would be unable to say at this time. Right now I think we have a balance of enough to do it. Over \$100 million, I think.

Mr. SCHERER. What is the estimated cost?

Mr. WHITTON. We are estimating \$50 million.

Mr. SCHERER. \$50 million?

Mr. WHITTON. Yes, sir.

Mr. SCHERER. If you do it for four times that I would be surprised. Go ahead.

Mr. FALLON. Will the gentleman yield? You said you had a balance of \$100 million?

Mr. WHITTON. That is the figure I have in my head—that the estimated cost of the program, and the estimated income from the program over the life of the program is such that we would be \$100 million to the good at the end of the program. Is that right, Frank? Frank Turner says that it is actually a little more than that.

Mr. BALDWIN. Will the gentleman yield?

Mr. FALLON. Mr. Baldwin.

Mr. BALDWIN. This is your estimate over about 15 years ahead, is it not?

Mr. WHITTON. Well, it is to 1972.

Mr. BALDWIN. So whether that amount will ever materialize neither you, nor I, nor anybody else can know.

Mr. WHITTON. No, sir; that is our best estimate today.

Mr. SCHERER. If we have a little inflation it could be wiped out overnight, could it not?

Mr. WHITTON. Yes, sir, or we could have an increase in the income, with more automobiles on the road being in use.

Mr. SCHERER. We will have more inflation if we keep on spending as we are.

Mr. FALLON. The bill reads, Mr. Whitton, "temporary relocation of families." What does that word "temporary" mean? Does it mean you put them up in a hotel or an apartment house?

Mr. WHITTON. I would not assume it would be that way. I would assume we would try to find some housing that would be temporarily available if necessary. Of course, we would move them permanently if it were possible, but where it is not possible we would try to provide temporary housing.

Mr. FALLON. During that temporary period, would that be at Government expense?

Mr. WHITTON. I should not attempt to answer that, Congressman. I would assume we would allow them a total expense and they would have to take care of it out of that total we would allow them.

Mr. SCHERER. Is not this the real beginning of the rape of the trust fund, which we have tried to guard so zealously?

Mr. WHITTON. I do not feel that it is, Mr. Scherer. I think since we are paying for the moving of families in all the other Federal programs, that it puts us in a rather poor position to be the only Federal program that is not helping to move families, and I do not think it would get out of hand.

Mr. BALDWIN. Would the gentleman yield?

Mr. FALLON. Mr. Baldwin.

Mr. BALDWIN. Mr. Whitton, this section in the bill, on page 4, under section 133, says—

The Secretary, as a condition precedent to his approval under section 106 of this title, shall require the State highway department—

and then goes on and says he has to make a determination—

that there are or will be provided in areas not generally less desirable in regard to the availability of public utilities and public and commercial facilities at rents or prices within the financial means of the families displaced by the acquisition or clearance of such rights-of-way, decent, safe, and sanitary dwellings adequate in number to accommodate such displaced families and reasonably accessible to their places of employment.

I can understand such a provision with an urban renewal project, because the theory of urban renewal projects is to try to provide better housing accommodations for the people within the same general area and, therefore, there would be no purpose in an urban renewal project unless such a provision were in a bill; but the objective of the highway program is considerably different. The objective of the highway program is to provide a pattern of highways nationwide that would be adequate to take care of our traffic.

If this means what it says, and it surely reads that way to me, you would be blocked for maybe a year in putting through some essential highway on the Interstate System in a particular area because the route just happened to go through the best part of town and you have to take the best homes, and you have no other homes of similar grade and, therefore, until somebody came in and built such homes some place else, you would be barred from putting in the Interstate System to serve the needs of maybe millions of people because five or six families would not have houses of equivalent stature to go into, then certainly we are thwarting the basic objectives of the program. It is not comparable to the urban renewal program because the objectives of the highway program are different from the urban renewal program.

I would appreciate your comment on how you feel this would affect the program.

Mr. WHITTON. I think it could cause some delay in certain projects, but based on some experience in that area I would not think it would delay the program as a whole. It could delay some jobs in some cities, and if this is the case, we can shift the money within the affected State to some other area of the Interstate System, or some other area of the A-B-C system.

I have gone through such a situation in my own State where the State itself passed a law that we could not move certain families in a certain area for 2 years, which rather pleased some other areas of the State, because they got the money. If we run into difficulty in a particular section on moving families, it is going to take some time, but the highway departments all over the country are trying to get their plans ahead so that they can get this relocation problem solved. I see no great difficulty in delay in the building of any street, but if we did get into delay in one area we could certainly step up the program in another area in the same State.

Mr. BALDWIN. It might be true that you could step up the program somewhere else, but it would certainly thwart the order of priority. To start out with you must have set an order of priority.

Mr. WHITTON. I do not think it would. I think most of the States involved in this program are getting ahead with their plans in such a way that they can absorb this moving of the families.

Mr. SCHERER. But under section 133, as I read it, before the Bureau of Public Roads can even approve preliminary plans and specifications the States must assure the Bureau of Public Roads that decent, safe, and sanitary dwellings will be provided for those persons to be removed from the rights-of-way. Is that not right?

Mr. WHITTON. I think you have found a spot that needs a little revision, Congressman. I think that ought to read, before an approval of contract plans or bids for construction.

Mr. SCHERER. That would certainly delay the program as Congressman Baldwin pointed out.

Mr. WHITTON. But if we put it as a condition precedent to the Secretary's approval of authority to receive bids for construction, that would correct it. Naturally, the States have got to make surveys. They have to have the Federal-aid money with which to do it, and they have to prepare their plans, because we do not know what houses are going to be moved until the plans are prepared, so I think that there is a point that should be corrected.

Mr. SCHERER. This same section, as I read it, says that the States must assure the Federal Government that these persons to be removed from the right-of-way are provided with decent, safe, and sanitary dwellings. Does that not mean that perhaps the State in many instances, or the Federal Government, may be required to supply them with living quarters that exceed the standards of the living quarters that they presently occupy. You remove a lot of people from rights-of-way who do not have this type of abode, do you not?

Mr. WHITTON. We would hope, Mr. Congressman, in cases where large numbers are involved, we could work with the housing people and arrange for this.

Mr. SCHERER. In some places we are going to give them better housing than they have presently, aren't we, if we follow this standard?

Mr. WHITTON. Well, I hope they could find better housing.

Mr. SCHERER. The State must supply that then.

Mr. WHITTON. I do not read it that way.

Mr. BALDWIN. Mr. Whitton, I can understand this with an urban renewal project because the purpose of that is, if they are going to take away a group of homes the purpose is to provide them with better and more sanitary homes, but if I read this correctly you, the Bureau of Public Roads, are going to have the obligation actually to take over the responsibility to build homes, or to see they are built by some public agencies, if such homes are not available.

Mr. WHITTON. I do not think it provides that the State will be responsible for building the homes. They are responsible to see that they are available.

Mr. BALDWIN. Suppose they are not available? Then what do you do?

Mr. WHITTON. Then I assume there would be a delay of the project until they are available.

Mr. BALDWIN. Who is going to make them available?

Mr. WHITTON. I cannot answer that. I would assume that the city or State, or the city would be interested possibly in trying to make homes available.

Mr. BALDWIN. But this means in effect some public body would have to actually come in and build such homes if they are not otherwise available before you would have the right to go ahead and build your road.

Mr. WHITTON. Yes. I think that is correct.

Mr. SCHERER. If we adopt this provision I think we will not finish this program on target date and we might as well advance the target date to about 1976 or 1978.

Mr. CLARK. Will the gentleman yield?

Mr. FALLON. Mr. Clark.

Mr. CLARK. So far, I think, you can say we have saved over \$100 million, or at least they are that much in the black today. If I am not right they will correct me. I think we could say that most of that is due to this special subcommittee on the Federal-aid highway program that we have here. So in the next 5 years we will be saving another \$75 to \$100 million which we can go to putting into St. Peter or St. Paul. Do you agree with me there?

Mr. SCHERER. I wish I could agree with you.

Mr. FALLON. Mr. Buckley is chairman of the full Committee on Public Works, and he has correspondence from Mr. Moses on this particular subject. The chairman feels it might be of benefit to have this read in answer to some of the questions that have been propounded. Will the counsel, Mr. Sullivan, read the letter from Mr. Moses?

Mr. SCHERER. Who is Mr. Moses?

Mr. SULLIVAN. Robert Moses.

Mr. SCHERER. Oh, from New York?

Mr. BUCKLEY. The Republican candidate for the Governor of the State.

Mr. SCHERER. That makes it so much the worse. I remember Mr. Moses. Let us go ahead.

Mr. SULLIVAN. This is a letter dated April 16, 1962, and it reads as follows:

TRIBOROUGH BRIDGE & TUNNEL AUTHORITY,
New York, N.Y., April 16, 1962.

HON. CHARLES A. BUCKLEY,
Chairman, Committee on Public Works,
House of Representatives,
U.S. Capitol, Washington, D.C.

DEAR CHARLIE: H.R. 11199, the Federal-Aid Highway Act of 1962, among other purposes makes provision for assistance for displaced families and businesses. The objective of this part of the proposed legislation is beneficial and I strongly recommend it.

The relocation of tenants is difficult and time consuming. It often controls and delays progress of construction to a greater extent than planning and actual work in the field. The latter are under the direct supervision of State highway departments. Relocation involves serious inconveniences and financial burdens for those who had the misfortune of living in the way of public improvements, arouses the sympathy of the courts and the press, and present numerous human problems.

New York City has had extensive experience in relocation of families displaced by construction of highways, schools, playgrounds, health centers, housing, urban renewal, and other public improvements. In 1960, 15,613 residential and 1,745 commercial tenants were relocated, and 11,215 residential and 1,528 commercial in 1961.

These families have been moved to decent, safe, and sanitary accommodations with the aid provided by a sustained relocation program under the direction of the appropriate agency. The policy in general is to pay \$100 per room up to a maximum of \$500 and moving expenses to families finding their own new quarters and voluntarily relocating themselves. A tenant relocation and information office is opened at the site and tenants are interviewed to evaluate their needs. Offsite apartments after inspection for compliance with standards are listed for their convenience. Public housing is made available to those with limited income. Tenants making use of the relocation service receive moving expenses and cash payments of from \$50 to \$125, depending upon the circumstances.

The average cost of relocation in either circumstance is about \$400. The program has been invaluable and the public works, housing, and urban renewal programs could not have been accomplished without it. I personally feel that the payments made by the city for voluntary relocation should be doubled. Even larger amounts would be small recompense for the financial distress of families who have to move in the interest of the general welfare.

It is evident from the above that maximums prescribed in section 133(c) are inadequate, do not reflect existing practice, and will not accomplish their intended purpose. I recommend that the limitations be removed.

I also recommend that if the Secretary, as a condition precedent to his approval of contract plans, specifications, and estimates for federally aided highway projects shall have the power to direct the method of relocation, he review the program and estimated cost of relocation along with other plans and approve it as part of the project cost.

Attached are proposed changes to sections 101 and 133. These will eliminate present ambiguity in phraseology.

The development of a balanced transportation system in metropolitan areas as proposed in section 134 is an exalted goal. It presumably looks to the time when the railroads with their commuter problems, the trucking industry, rapid transit system, public and private buslines, water carriers, public authorities, owners of passenger cars, the State and Federal Governments, and the hundreds of political subdivisions—cities, counties, townships, towns, and villages in the States of New York, New Jersey, and Connecticut, comprising the New York metropolitan area, put aside local pride, politics, and individual problems and combine their resources for the greater good. The possibility of this is remote and certainly cannot be accomplished in the immediate future.

With respect to section 134, the requirement that the Secretary, after July 1, 1965, find that highway projects conform to a comprehensive balanced transportation plan before granting his approval, will bring the Federal highway program in New York City to a complete standstill. The reason is obvious and simple. Such a comprehensive plan cannot be completed by that time if indeed it could be in the next decade.

I recommend that the portion of section 134 beginning with line 15 to line 25 be eliminated.

Cordially,

ROBERT MOSES, *Chairman.*

Attachment.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

SEC. 3. (a) Chapter 1 of title 23, United States Code, is amended by revising the definition of the term "construction" in section 101 to read as follows:

"* * * * *
with specifications of the Coast and Geodetic Survey in the Department of Commerce), costs of rights-of-way (including the administrative and other expenses of providing for the relocation of families and relocation payments to * * *."

S. 133. ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESS

(a) The Secretary, as a condition precedent to his approval under section 106 of this title, shall require the State highway department, through an agency or agencies acceptable to the Secretary, to assure that where necessary there is a feasible method for the temporary relocation of families displaced by acquisition or clearance of such rights-of-way for any Federal highways, and that decent, safe, and sanitary dwellings will be provided for families displaced by the acquisition of clearance of such rights-of-way in areas not generally less desirable in regard to the availability of public utilities and public and commercial facilities at rents or prices within their financial means and reasonably accessible to their places of employment.

MR. KLUCZYNSKI. Mr. Chairman, I agree with Mr. Moses and believe he is a great man. I do not believe that Mr. Scherer and Mr. Baldwin are against relocating the families and giving them a good, standard way of living and better quarters. It is not their fault we are putting the road through there. We are refunding the utilities for relocating, aren't we?

MR. FALLON. Let the Chair say I do not think that this question was asked by a member to show whether he is for or against it. It is more or less just to get information so he can make up his mind as to whether he is for it. I will say here that the committee has an open mind on all of the legislation that is before us at this time.

MR. SCHERER. I only wish Mr. Moses himself would appear so we might cross-examine him. I think his experience before the committee the last time he appeared has kept him away.

MR. BALDWIN. Mr. Chairman.

MR. FALLON. Mr. Baldwin.

MR. BALDWIN. I would like to make one observation with regard to this. I do not think the issue has been raised here as to whether or not this committee ought to authorize some kind of relocation expense. It may be in New York, which has an urban renewal authority and a housing authority, and all of these things, that this would present no problem of delay in the city of New York, but if you go out into some Midwest or far western State and go through a small town which has no urban renewal authority and no housing authority, and you cut through the edge of the small town and eliminate three houses. Maybe there are only that many houses in town sufficient for the number of families involved, so then the highway department cannot proceed until somebody builds three houses. If nobody else builds them then they have to create a housing authority or an urban renewal authority to build three houses, and this will produce a serious delay.

I am not arguing about the relocation expense but about setting up a condition precedent that you cannot go ahead and build a highway until the Bureau of Public Roads takes the responsibility of providing housing that meets a certain standard. I do not think it should be the responsibility of the Bureau of Public Roads.

Mr. SULLIVAN. I do not think it is intended that it should be the direct responsibility of the Bureau of Public Roads, but puts the responsibility on the local and State agencies involved in this problem. Their plans must be approved by the Bureau of Public Roads. I do not think this puts the Bureau of Public Roads, as such, in the housing business. They have to okay the plans presented to them by the State. Also, on the point you just raised, insofar as the small community or smaller community is concerned, it seems to me the bulk of this relocation will take place in the larger cities such as New York, Detroit, Chicago, and any larger area you might name. I think that is what this is mainly aimed at, and not at your small areas as such.

Mr. BALDWIN. May I say that the bill makes no such definition.

Mr. SULLIVAN. I understand that. That is correct.

Mr. BALDWIN. The bill has a blanket definition, and when you say it does not get the Bureau of Public Roads into it, this says the Secretary must make the decision, and who is going to be carrying out the views of the Secretary in this field but the Bureau of Public Roads.

Mr. SULLIVAN. They approve it, but the actual moving of the tenants, and setting up of the housing facilities, will be taken care of by the comparable and proper State agency such as the New York City Housing Authority.

Mr. BALDWIN. This bill says the Secretary, and this is the bill we must talk about.

Mr. FALLON. Let me see if we cannot get back to regular procedure. Mr. Sullivan, we appreciate your statement here very much.

Mr. SCHERER. Let him sit there a while.

Mr. FALLON. We have him around the committee all the time, and he can advise the committee in executive session at any time, but we have witnesses here to testify from as far away as California, and we want to give them the opportunity to get away as soon as possible.

Mr. SCHERER. I cannot cross-examine Mr. Moses, but he is speaking for Mr. Moses. Can I ask Mr. Sullivan one question?

Mr. FALLON. Certainly.

Mr. SCHERER. Just one question. Is it not a fact, Mr. Sullivan, that this committee set up a special subcommittee and provided it with a staff which is going into a yearlong investigation under the chairmanship of brother Davis over here, for the sole purpose of determining whether or not these costs we are talking about in this bill should not be included in land taking in the future?

Mr. SULLIVAN. That is correct, Mr. Scherer.

Mr. SCHERER. All right, that is all. This provision is tramping on the Davis Committee toes.

Mr. DAVIS. That has bothered me some.

Mr. ROBISON. If the gentleman will yield, or the Chair will yield to me?

Mr. FALLON. We recognize you.

Mr. ROBISON. This special subcommittee, of which I have the distinction and honor to be ranking minority member under our good friend, Judge Davis, as I understand it, Mr. Chairman, was created because there is a hodgepodge of separate approaches now to this particular problem throughout the Federal bureaucracy, or at least that part of it that has any jurisdiction over land takings. Judge Davis has been very careful to adopt, and I congratulate him, a bipartisan and constructive approach to this problem. Our committee staff is only at this point getting into the fringes of this complicated area, and it would strike me as being unwise, insofar as our objectives are concerned as a special subcommittee, to legislate in this area, at least until our subcommittee has had a chance to review the entire subject, and this particular aspect of it; and, from that point on, to make recommendations perhaps to this subcommittee or the full committee and to the Congress with respect to legislation in this area.

Mr. SCHERER. I agree with the gentleman 100 percent.

Mr. DAVIS. Will the gentleman yield?

Mr. ROBISON. Yes, sir.

Mr. DAVIS. It is quite true we are trying to make a real, thorough, and bipartisan study of this whole question. We went to the Bureau of Public Roads and Administrator Whitton was kind enough to give us two very capable and able lawyers, and these two are our chief counsel and associate chief counsel. They are both from his department, and they are both very highly competent men. Our staff has been at work now for months, but we are not yet ready to come up with our conclusions overall, because the Bureau of the Budget recommended such a study. It came from the executive department, of course, and we have been proceeding along that line with extreme care, and are not rushing this thing because it is so involved. It involves not only municipal relations, but State relations and national relations. It is a big study, and this bothers me if we should add another piecemeal approach at this time when we are just now getting into a very thorough study of the whole question.

Mr. ROBISON. May I ask Mr. Whitton a question, Mr. Chairman?

Mr. FALLON. Mr. Robison.

Mr. ROBISON. This proposal in the chairman's bill would require the State to have a program before there would be any Federal monies. It is a question of reimbursement; is it not?

Mr. WHITTON. The program of tenant removal?

Mr. ROBISON. Yes.

Mr. WHITTON. I understand that some 500 cities now have planning groups that do work of this nature, and I would think that those groups could be most helpful in this program.

Mr. ROBISON. How many States now, if you know, reimburse for relocation costs?

Mr. WHITTON. Families, or utilities?

Mr. ROBISON. Let us start with families.

Mr. WHITTON. As far as I know, only New York City.

Mr. ROBISON. Only New York City?

Mr. WHITTON. Yes. Frank says there are several more.

Mr. ROBISON. Are there any States that have moved into the relocation cost field?

Mr. WHITTON. A few.

Mr. ROBISON. Do you know how many?

Mr. WHITTON. I don't know exactly but we can put it in the record, and the States.

Mr. ROBISON. If this is a Federal reimbursement proposition, then the various States would have to implement at the State legislature level such a program before the Federal portion of it would get going. Is that right?

Mr. WHITTON. Yes.

Mr. ROBISON. My point would be this, Mr. Chairman. I think there may well be merit in this proposal, but obviously it will take some time for this to get going at the State level. I do not see any reason why it is not a good thing that the proposal has been made and will now be considered throughout the Nation by the various State administrators and the State legislatures, but it does seem to me, and I say again, I think it would be wiser for us to utilize the purpose of the special subcommittee, and to go ahead with a study of this proposal and all of the other proposals and then make recommendations to this subcommittee and to the full committee.

Mr. SCHERER. Is my recollection correct that before you were Federal Highway Administrator, Mr. Whitton, and Brother Turner was here, that the Bureau of Public Roads not too long ago recommended to this committee against including these relocation costs for families? Isn't that the record of the Bureau of Public Roads? You made some of the same arguments against relocation costs as I am making here today.

Mr. TURNER. Yes, sir.

Mr. SCHERER. That is true, is it not?

Mr. TURNER. Yes.

Mr. FALLON. Mr. Whitton, can you tell me about how many States have relocation authority?

Mr. WHITTON. I cannot fully answer that, but I would like to have the privilege of answering it later.

(The information requested is as follows:)

States with statutory requirements respecting moving of personal property from rights-of-way for highways

State	Statute requires payment for—				Maximum payment per unit				Remarks
	Residence		Business		Residence		Business		
	Owner	Tenant	Owner	Tenant	Owner	Tenant	Owner	Tenant	
Connecticut	No	Yes	No	No	Actual cost	\$250	Actual cost	\$5,000 ¹	Minimum of 20 tenants required. When allowed as a taxable cost by court after a jury trial.
Maryland	Yes	Yes	Yes	Yes	\$200	Actual cost	\$500		
Minnesota	Yes	Yes	Yes	Yes					
Nebraska	Yes	Yes	Yes	Yes	Actual cost	Actual cost	Actual cost	Actual cost	Moving distance limited to 10 miles. \$25 per room allowed not to exceed \$200. Tenant must be under an unexpired written lease, full term of which is at least 3 years.
Tennessee	Yes	Yes	Yes	Yes	Reasonable expense	Reasonable expense	Reasonable expense	Reasonable expense	
Rhode Island	No	Yes	No	No		\$200			
Wisconsin	Yes	Yes	Yes	Yes	\$150	\$150	\$2,000	\$2,000	

¹ \$2,500 when term of lease does not extend 3 years or more.

Source: Correspondence from States, and a check of the statutes. As of December 1961.

States which have made payment for costs of moving or incidental to the moving of personal property from highway right-of-way as result of constitutional interpretation, condemnation, or other legal order or proceeding

State	Jury award or court decision	Constitutional interpretation	Administrative action of highway department	Moving personal property from—				Incidental costs and/or remarks
				Residence		Business		
				Owner	Tenant	Owner	Tenant	
Colorado.....	Yes.....							Payment for moving businesses; not identified as to owner or tenant. When landowner is required to involuntarily transport his personal property, and if such transport results in the damage to such property, such damages must be paid. Highway department has limited payments to owner's or tenant's business property. Iowa Code, sec. 472.14, states: "In assessing the damages the owner or tenant will sustain the commissioners (appointed to assess damages), shall consider and make allowance for personal property which is damaged or destroyed or reduced in value." ¹ (See further note on sheet 2.) Payments are for the costs of "the detach and reattach of fixtures." The costs for hauling, loading, and unloading, etc., are not paid for. Highway department to make a "moving allowance for the removal and loading of personal property." This does not include an allowance for transferring the property from 1 location to another. City acquires the real property on its own behalf and treats residential tenant relocation as a "liability incurred." In reimbursing the city, the department of public works recognizes expenditures made by the city in connection with certain payments for the costs of moving personal property.
Georgia.....		Yes.....		Yes.....		Yes.....		
Iowa.....								
Kansas.....		Yes.....		Yes.....		Yes.....		
Michigan.....	Yes.....			No.....	Yes.....	Yes.....	Yes.....	When there are improvements—machinery—attached to the condemned realty and which are not to be condemned, compensation must be granted to cover the cost of removal in order to use them somewhere else, under the theory of a partial taking. In such case the value of what remains untaken is determined by its cost in place less cost of removal." There is no statutory provision against making such payments. In condemnation cases evidence as to the cost of moving personal property is admitted. No breakdown as to those costs is required in the jury verdict.
New Mexico.....	Yes.....			Yes.....	Yes.....	Yes.....	Yes.....	
New York (city).....				No.....	Yes.....	No.....	No.....	
Oklahoma.....	Yes.....			No.....	No.....	Yes.....	Yes.....	
Utah.....			Yes.....	No.....	No.....	Yes.....	Yes.....	When there are improvements—machinery—attached to the condemned realty and which are not to be condemned, compensation must be granted to cover the cost of removal in order to use them somewhere else, under the theory of a partial taking. In such case the value of what remains untaken is determined by its cost in place less cost of removal." There is no statutory provision against making such payments. In condemnation cases evidence as to the cost of moving personal property is admitted. No breakdown as to those costs is required in the jury verdict.
Virginia.....	Yes.....			Yes.....	Yes.....	Yes.....	Yes.....	
District of Columbia.....								
Puerto Rico.....	Yes.....							
Wyoming.....	Yes.....							

¹ Iowa: The State right-of-way division is of the opinion that the quoted sentence from the code is unconstitutional and have made no payments.

Source: Correspondence from States.

States with no statutory or other legal obligation to pay moving costs of personal property of either owner or tenant from property acquired for highway right-of-way

Alabama	Maine	Oregon
Arizona	Massachusetts	Pennsylvania
Arkansas	Mississippi	South Carolina
California	Missouri	South Dakota
Delaware	Montana	Texas
Florida	Nevada	Vermont
Idaho	New Hampshire	Washington
Illinois	New Jersey	West Virginia
Indiana	North Carolina	Alaska
Kentucky	North Dakota	Hawaii
Louisiana	Ohio	

Total, 32 States.

Source: Correspondence from States.

Mr. FALLON. I know Maryland has, and I am wondering how many others have the same thing. Would you proceed, Mr. Whitton, with your statement?

Mr. WHITTON. Yes, sir. We estimate that the Interstate alone will annually displace about 15,000 families and 1,500 businesses in the next 6 to 8 years. Under existing Federal-aid highway legislation, no provision is made for those displaced. The circumstances of these displacements, therefore, are generally less favorable than those occurring under the federally assisted urban renewal program, which displaces around 30,000 families and 4,000 businesses annually. When families are required to move, it is only fair and proper that they should have the opportunity of occupying housing that is decent, safe, sanitary, that is within their financial means, and that is in reasonably convenient locations. Moreover, they should be afforded assistance where necessary in order to minimize the hardships involved in finding a suitable dwelling in which to live.

We have made no detailed estimate on the cost of this proposed new relocation assistance program. Based on the limits of payment set by the bill, however, we estimate its cost would approximate \$50 million. We understand that the experience of the Housing and Home Finance Agency under the urban renewal program has resulted in an average relocation payment of about \$65 to families and about \$1,150 to businesses.

In his message on transportation, the President also recommended:

That the Federal-aid highway law be amended to permit more extensive use of Federal-aid secondary funds for extensions of the secondary system in urban areas.

Certain States are finding it increasingly difficult to improve the extensions of the Federal-aid secondary system into urban areas because of the higher priority for the use of available urban funds for the improvement of primary system extensions in these urban areas. This causes a particular hardship in the outlying sections of the larger urban areas where there is rapid suburban expansion and in smaller cities where the urban extensions of secondary routes do not carry a sufficiently large volume of traffic to merit high priority on available urban funds.

As a result, in many cases secondary routes are improved up to the urban limits, and urban funds are not available for their improvement within these urban limits to provide an integrated system of improved highways.

Section 6 of H.R. 11199 relating to extensions of the Federal-aid secondary system into urban areas, is designed to implement the foregoing recommendation. It would remove the present limitation on Federal-aid financing of such extensions, now under certain conditions restricted to urban funds.

This provision would permit increased flexibility in financing improvements on Federal-aid secondary routes within urban areas and, if enacted, would promote an integrated system of improvements in such areas. We believe that it would be particularly helpful in certain States that contain many individual and grouped urban areas, and where, in practice, the transfer of funds from primary or secondary apportionments to the class of urban funds for the purpose of improving extensions of secondary routes within urban areas has not been adequate under the provisions of section 104(c) of title 23, United States Code.

Another of the President's recommendations relates directly to highway projects in metropolitan areas.

A major objective of national transportation policy in the use of Federal assistance programs is to encourage and facilitate the development by States and local communities of balanced transportation systems consistent with long-range comprehensive development plans.

In order that this objective may be expeditiously carried out, we believe that the recommended modification of the basic Federal-aid highway legislation, as contained in section 7 of H.R. 11199, is highly desirable. The Secretary of Commerce would be granted authority to cooperate with the States in the development of long-range highway plans and programs for metropolitan areas which would form integral parts of a total transportation system for those areas.

Section 7 would require, as a condition to the approval of a highway program involving a metropolitan area, that State and local agencies undertake transportation planning on a continuing basis consistent with programs of comprehensive planning that are developed for the metropolitan area. By encouraging balanced transportation planning, we believe that the quality of general metropolitan planning would be improved.

Enactment of this provision is believed timely in view of the increased emphasis being given to long-range planning and programming by the Bureau of Public Roads and the State highway departments in connection with expenditures of Federal-aid highway funds. It would require the States and their metropolitan areas to adopt a process of planning already demonstrated by trial to be feasible and effective. The experience of the Bureau of Public Roads in the highway transportation field could be utilized to the advantage of all levels of government concerned.

Moreover, the proposed requirement would place the Federal-aid highway program in a position with respect to planning comparable to the urban transportation program of the Housing and Home Finance Agency, and thus strengthen the coordinated approach to urban transportation development already informally established by the two agencies.

Mr. SCHERER. May I interrupt? Where would the costs for this come from?

Mr. WHITTON. The costs for the highway part of it would come from our 1½-percent funds that are now available for that purpose.

Mr. SCHERER. Would there be any charges on the trust fund?

Mr. WHITTON. I do not anticipate that.

Mr. FALLON. How much does the present 1½-percent provision of present highway law provide for planning and research? What does that amount to?

Mr. WHITTON. That authorization provides about \$60 million with the matching money, annually.

Mr. FALLON. With the matching money?

Mr. WHITTON. Yes. The State puts up matching money.

Mr. FALLON. How much of this fund has been matched by the States?

Mr. WHITTON. I do not have that figure. We will provide it.

(The information requested is as follows:)

Federal-aid highway projects authorized for planning and research (Projects financed from 1½-percent funds authorized by sec. 307(c) of title 23, United States Code, Highways)

Fiscal year	Federal funds	State matching funds	Total cost
1960.....	\$36,866,148	\$12,722,190	\$49,588,338
1961.....	37,390,118	13,512,243	50,902,361
1962 through Mar. 31, 1962.....	30,458,827	11,127,761	41,586,588

Mr. SCHERER. Do you use all of that now?

Mr. WHITTON. No, sir. Not for planning.

Mr. FALLON. Would it be necessary for this extra one-half of 1 percent? Would there not be sufficient funds in the 1½-percent funds now?

Mr. WHITTON. I think the extra one-half percent we are recommending later on here is for research only, and I do not think we are doing enough research. That is a personal opinion, shared with some others, that we are not doing enough research. We are spending a tremendous lot of money for highways, and I think we ought to be finding out to the best of our ability the best way to build the highways, and I think it takes more expenditure in research money to do that.

Mr. FALLON. As I understand you, Mr. Whitton, you do not use all of the research money now?

Mr. WHITTON. No, sir. The States have the privilege now of putting some of that back into the construction fund and using it for construction. That is their privilege. In this bill we are suggesting that it be made mandatory to use the one-half percent fund and this additional 1½ percent for highway planning and research. We know some States are doing more than their proportionate share of the research and planning. We think that all of the States ought to contribute proportionally to this effort.

Mr. SCHERER. We are doing plenty of highway planning and research. What you say we are not doing is in connection with the proposed mass transit systems.

Mr. WHITTON. That would be our proportionate share of the proposed mass transit systems. We would not be paying any particular part of the cost of planning for a fixed rail type of transit system, but the bus type and rubber tire type of transit is part of the highways, and we ought to plan for that.

Mr. SCHERER. I thought our research programs were very good though.

Mr. WHITTON. I think they are too. I just think they ought to be better.

Mr. SCHERER. We had it for 2 years out in Illinois.

Mr. WHITTON. Yes, sir. That was a tremendous job and a wonderful job, but there are other areas we ought to be getting into, and I think we should.

Mr. SCHERER. I think that the only areas we are deficient in, you mean, is the relationship that highway relocations might bear to proposed transit systems.

Mr. WHITTON. Yes. That is what I am talking about in that connection.

Mr. SCHERER. Do you think that would cause delays? Look what happened here in Washington.

Mr. WHITTON. No, we are not calling for this until July 1, 1965, as the suggested deadline date; and between now and then I would think that the cities and States could certainly get started on their planning to such an extent that we could approve projects. In fact, many many cities now have plans, and they need to activate them and bring them up to date, but I don't think there is anything in this provision that would delay the program.

Mr. SCHERER. This would not necessitate a holding up of highway construction until these plans have matured, would it?

Mr. WHITTON. No.

Mr. SCHERER. It has done that in the District of Columbia, has it not?

Mr. WHITTON. I think the District of Columbia officials are going ahead with obligating their money reasonably well along with the rest of the States.

Mr. SCHERER. Didn't we, by resolution, actually delay highway planning and construction until this mass transit system——

Mr. WHITTON. In this northwest quadrant. Yes. The Congress did, but we are working somewhere else.

Mr. FALLON. That did not come out of this committee, but out of the District Committee.

Mr. WHITTON. Yes, sir.

Mr. FALLON. Would it be possible, Mr. Whitton, if these funds are set up for research on mass transportation——

Mr. WHITTON. No. All transportation is what we are talking about.

Mr. FALLON. What we would do is include mass transportation.

Mr. WHITTON. We would try to get the HHFA people to put in some funds from another source, and consult with them as we are doing in many areas.

Mr. FALLON. The authority in location would not be put in the hands of people who represented the mass transportation authority?

Mr. WHITTON. The authority would remain in the Secretary of Commerce. Authority for the location of highways. We have that in this bill.

Mr. FALLON. I know in my city, fixed transportation studies on buses have been going on since 1940, and they have had many studies, and very expensive studies, but they seem to be in worse shape now than they were back in 1940. So lots of money has been spent on

research for mass transportation in all of our big cities, and I am just wondering if this is not just another way for them to get a hand into this bill and continue their studies.

Mr. WHITTON. No, I don't think so, Mr. Chairman. I think this is a way we can work together and make a balanced study which will result in a benefit to all transportation.

Mr. SCHERER. I said 1976 before when we were thinking about including this new provision on relocation of families. With this section I think I am going to move it ahead to 1980 as the date of completion.

Mr. FALLON. Go right ahead, Mr. Whitton.

Mr. WHITTON. Its enactment would in no way delay the current Federal-aid highway program. Reasonable time would be allowed for the States and local communities to establish the continuing planning process that would be required and to produce the plans to which their highway systems would conform. The cooperative working arrangements undertaken by the Bureau of Public Roads with States and localities in the area of transportation planning will permit the Federal guidance and leadership necessary to achieve the objective of sound and uniform transportation planning in metropolitan areas.

Mr. SCHERER. May I interrupt? I hate to do this, but this is so important. It would mean eventually, would it not, that you couldn't get approval for a Federal-aid highway through a municipality until that municipality conformed its mass transportation routes to what the Bureau of Public Roads or the Federal Government decided? Does it not mean that eventually?

Mr. WHITTON. I do not think so, Mr. Scherer. I think it would mean we would work out a plan for transportation in the city that would cover the bus transportation, and there are not too many cities—

Mr. SCHERER. Let me interrupt. If the city does not follow through with a plan the Federal Government approved for its bus and other rapid transit systems, they would not be able to eventually get any Federal-aid highway money, would they?

Mr. WHITTON. No, sir; I don't think that is true.

Mr. SCHERER. Well, I do, as I read the law. Go ahead.

Mr. WHITTON. Thank you. The President has referred in his transportation message to another important phase of coordinated transportation planning for metropolitan areas through the use of funds made available under both Federal highway and housing legislation. He has recommended—

that the Federal-aid highway law be amended to increase the percentage of Federal funds available to the States for research and planning.

Provisions of existing law regarding the use of Federal-aid highway funds apportioned to the States for planning and research purposes would be revised significantly under section 8 of H.R. 11199. Generally, the amount of such funds for highway research would be increased, all highway planning and research funds would be matched by the States and, if not so used, would lapse.

At present, under section 307(c) of title 23, United States Code, not to exceed 1½ percent of all Federal-aid funds apportioned to the States for any fiscal year may be used upon the request of the State highway department, with the approval of the Secretary of Commerce, for certain highway planning and research projects. Although

it has been the policy of the Bureau of Public Roads to encourage the States to match such funds, the law now provides that such funds are available with or without State matching funds.

We believe that the language defining the scope of highway research and planning projects which may be undertaken pursuant to section 307(c) is sufficiently flexible to cover any reasonably foreseeable highway planning or research project needed in connection with the Federal-aid highway program. However, the Bureau of Public Roads and the Department of Commerce have had under consideration for some time the need for expanding the dollar volume of highway research activities undertaken by or through the State highway departments with the aid of Federal funds. We have recognized the importance of highway planning and research in our recent reorganization by creating an Office of Planning as well as an Office of Research within the Bureau of Public Roads.

In order to stimulate additional highway research activities in the Federal-State cooperative area, an additional one-half of 1 percent would be made available for highway research purposes from funds apportioned to the States for the A-B-C program. Interstate funds would be involved only with respect to the 1½ percent allocation but not the additional one-half of 1 percent. This additional one-half of 1 percent, together with State matching funds, would amount to almost \$10 million annually. This sum would be in addition to the present 1½ percent which is currently being used for both highway planning and highway research.

It is also recommended that the present law be amended to require that these funds, both the 1½ percent now permitted under existing law and the proposed additional one-half of 1 percent, be matched by the States in accordance with the applicable State matching requirements of section 120 of title 23, United States Code; that is, funds deducted from Interstate System apportionments would be matched generally on a 90-10 basis and A-B-C funds on a 50-50 basis. An exception to this matching requirement may be made where the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

As an additional incentive toward use of these funds for planning and research purposes, the proposed legislation provides that planning and research funds derived from funds apportioned for the A-B-C program shall lapse in the same manner as construction funds if not obligated for the purposes of section 307(c). Any moneys derived from interstate funds, however, would be reapportioned for planning and research purposes as provided under 23 U.S.C. 118(b) for construction funds.

The Bureau of Public Roads and the Department of Commerce urge that the Congress favorably consider the enactment of H.R. 11199. Its enactment would be in accord with the program of the President, and it would further the objectives of the administration in the field of highway transportation, particularly those phases bearing on urban highway transportation problems.

With the permission of the committee, I should like to cover some matters of broad significance to our program that I have referred to only briefly at the outset of this statement.

Now, Mr. Chairman, if I may I would like to jump through these pages that are ahead. On page 13 I would like to read the first paragraph.

We are pleased to advise you again that the highway program is on schedule in relation to the revenues available in the highway trust fund. Revenues accruing to the fund since July 1, 1956, have totaled \$12.484 billion and expenditures have totaled \$12.283 billion. On January 1, 1962, the balance in the highway trust fund was \$201 million.

The status of improvement of the Interstate System as of December 31, 1961, is shown on the attached map and summarized by States in the attached table 1.

A total of 12,296 miles of the Interstate System has now been improved and open to traffic, as shown in figure 1, representing an increase of 1,856 miles during the past year. This total mileage improved and open to traffic includes 7,722 miles improved with interstate funds, 2,271 miles improved with other public funds, and 2,303 miles of toll roads incorporated in the system as authorized by the 1956 legislation.

Now, I would like to go to page 14 and read the third paragraph.

We have now reached almost the one-third point in authorizations for completion of the Interstate System. As shown in table 2 covering work authorized through December 31, 1961, preliminary engineering work has been authorized covering 54 percent of the total program. About 48 percent of the right-of-way acquisition work has been authorized. Contracts have been advertised on 27 percent of the work. In total, the work authorized to date represents 31 percent of the total cost of the Interstate System as developed in the 1961 estimate.

Then I would like to turn to page 17.

Mr. SCHERER. Could I stop you there, Mr. Whitton? You say that 12,296 miles of the Interstate System have been opened.

Mr. WHITTON. Are now being used.

Mr. SCHERER. You mean opened to traffic; is that right?

Mr. WHITTON. Yes, sir.

Mr. SCHERER. What portion of that still does not meet Interstate System standards and has to be brought up?

Mr. WHITTON. About half of it. And 2,000 miles of it are on the toll roads.

Mr. SCHERER. Where would the cost of that leave you?

Mr. WHITTON. It will be done before the end of the interstate program. It will be brought up to standard.

Mr. SCHERER. But that cost is in now?

Mr. WHITTON. That cost is in the estimate.

Mr. SCHERER. All right.

Mr. WHITTON. On page 17, the first paragraph.

The Federal-aid highway program is being advanced at the maximum level that can be supported from revenues accruing to the highway trust fund. The 1963 fiscal year apportionments made last August included the A-B-C apportionment of \$925 million and interstate apportionment of \$2.4 billion as authorized by the 1961 act.

Scheduling of obligations continues to be necessary in order that the trust fund balance will be adequate to reimburse the States promptly for work done.

Now I would like to turn to page 20, in the middle of the page there, the table right above it shows our actual cost as compared with our

estimated cost. Our actual cost now is 99.9 percent of our estimate, which is really good.

Then on the next page is a map which shows the progress of the Interstate System, and at the bottom of that page, page 21, is a bar graph giving you those figures I have just read.

Then I would like to turn to page 32 and read a portion of that, beginning with the second paragraph. That has to do with the administrative controls exercised by the Bureau of Public Roads.

In cooperation with the Department of Justice, the Bureau of Public Roads has prepared proposed legislation recently submitted to the Congress by the Department of Commerce and introduced as H.R. 10822 which recognizes this increased Federal interest. Its purpose is to assist in meeting the problems of the irregularities which have occurred in the highway program. These irregularities involved only a very small percentage of total Federal-aid projects; however, we do not and will not overlook their seriousness. The Bureau of Public Roads has instituted effective administrative controls, which I will discuss in a moment, over Federal-aid highway projects, with a view toward preventing such irregularities. Nevertheless, we believe that it is necessary and desirable to provide Federal law enforcement agencies with appropriate authority to act when necessary and to provide penalties under Federal law for frauds and other offenses committed by both public officers or employees and private individuals.

Almost 5 years ago, the Bureau established its Project Examination Division, for purposes of review of both Bureau and State operations. This Division, which was initially composed of a very few persons now numbers some 30 professional people, including trained investigators, and has been instrumental in turning to light a number of questionable practices.

I wish to discuss with you the administrative actions that Public Roads has undertaken to meet the problems of fraud and of other improprieties in connection with the highway program.

Many of these problems have occurred in the right-of-way field. Malfeasance in particular States has received considerable publicity within the last 18 months. To correct these situations and to prevent recurrence, we are providing specialized training and guidance for Bureau and State personnel assigned to right-of-way activities. Area seminars are regularly convened to bring these Federal and State employees together to discuss Bureau requirements and problems of concern to both levels of government.

Mr. FALLON. May I interrupt? What you are giving us now in the appendix is information for the committee.

Mr. WHITTON. Yes, sir.

Mr. FALLON. And it does not pertain to the legislation that we have before us?

Mr. WHITTON. No.

Mr. FALLON. I was wondering if it would be convenient for you to come back at another time after the Easter recess and brief us on the accomplishments.

Mr. WHITTON. Yes, sir. I will be glad to, Mr. Chairman, but my point is this—

Mr. FALLON. I think the committee would like to have this information, but unfortunately we are limited as far as time is concerned.

We have other witnesses here, so I think if the members can confine their questions to the legislation that is before us, I think we can get along more rapidly and it would be to everybody's advantage.

Mr. WHITTON. That will be very satisfactory.

Mr. FALLON. I have just one question I would like to ask you, and that goes back to the authorization and appropriations for the Interstate System for the next 2 years, especially the acceleration of the \$25 million as you recommended and the administration's recommendation of \$25 million for 2 years. My bill increases it \$25 million the first year and \$50 million the second. I did that for two reasons: I thought we had the obligation to the Members who supported us in this legislation year after year, and the majority of the Members of Congress do not have an Interstate System road in their districts. The things they spend money on is improvement of roads for the A-B-C system.

In addition to that we have some legislation here from the administration saying that there are a number of soft spots throughout the country, not so much in the urban areas but in the rural areas, and we know that a big amount of A-B-C system goes into every congressional district. It goes into every city and county. This is an advantage to the smaller contractors. Many of our contractors do not have enough capital to bid on the Interstate System contracts, because those contracts are larger and their organizations have to be larger or they do not even qualify.

This does two things. It pleases the Members who do not have an Interstate System road in their district, but who have supported the bills and legislation in the past, and also it helps to make work for many of the small contractors throughout the country who cannot bid on the other systems.

I was hoping, knowing your experience in the roadbuilding program in a great big State where they try to help every segment of the State for several reasons—one is economy and another might be a reason which we are not talking about today—we hoped to get your approval for increasing the A B C \$75 million over 2 years rather than \$50 million.

Are there any other questions of Mr. Whitton on my right?

Mr. EDMONDSON. Mr. Chairman, I have had an opportunity to read Mr. Whitton's statement and I am particularly interested in his comments about the training program which is underway in the Bureau, and the results which they are already accomplishing with that training department. I want to congratulate him upon the emphasis which he has been placing on that phase of activity of the Bureau of Public Roads. I do not know whether he has had an opportunity as yet to reach any conclusions regarding the proposal which seven members of this subcommittee have so far joined in sponsoring to enlarge that training concept and get a national highway academy started under his able direction, but if he has any conclusions as yet on it I would certainly be interested in hearing them.

Mr. WHITTON. Mr. Edmondson, I have not studied it very carefully, but I do have an opinion. I am, of course, completely in accord with the idea of training, and I think it needs to be carried out to the fullest extent possible. However, I do not know that I am quite in accord with the academy idea. The States are doing a

tremendous job and getting ready to do a tremendous job on that, I think. They have done a lot of work and many of them are trying to expand the work which they have done.

Personally I would like to go along and see if they cannot get the job done in the States with our help, rather than to establish a formal academy at this time. There are many people involved. There are probably 30,000 or 40,000 people involved in this training program, and I believe we can get a better job done at home with the State universities and available universities, and with our help where they want it. I would like to try that. That is what I think right today.

Mr. EDMONDSON. That is what we have been trying for about 15 years, isn't it?

Mr. WHITTON. Yes, sir. Well, I believe we are making progress.

Mr. EDMONDSON. Thank you, sir.

Mr. FALLON. Any other questions? Mr. Scherer.

Mr. SCHERER. I want to say that I would not want anybody to feel that the type of questions I have asked this morning is in any way indicative, Mr. Whitton, of any criticism of your administration of the highway program. I think you have done an outstanding job since you have been Highway Administrator.

Mr. WHITTON. Thank you.

Mr. SCHERER. And I approve it 1,000 percent. What I am trying to do is to prevent Congress from passing legislation which would throw roadblocks in your way and prevent you from completing this program on time.

Mr. WHITTON. Mr. Scherer, it is hard for me to express my real appreciation of this committee and its members and the fine work that they have done in making possible the road program. You can be sure that we will be guided by your judgment. We are presenting our opinions.

Mr. BALDWIN. Mr. Whitton, in this discussion which you had a moment ago with Mr. Fallon, as to the relative merits of the approach which his bill used, which provided \$950 million the first year and \$975 million the second year, and the approach in H.R. 11191 which keeps the \$950 million both years, could you give us your estimate? This is somewhat dependent on how rapidly the trust fund is increasing year by year, depending on the additional sales of gasoline. We have already a bill for the Interstate System program specifying how much is to be made available for the year, that would be comparable to this year. Do you anticipate that there will be sufficient funds coming into the trust fund during the 2 years provided for in this bill to provide for full authorizations for the Federal Interstate System highway program, and also to provide for the \$950 million each year?

Mr. WHITTON. There are sufficient funds, they tell me, but it is very tight to handle the authorization.

Mr. BALDWIN. Let me ask you: If it were increased to \$975 million the second year, would there still be sufficient funds, or would there be a doubt?

Mr. WHITTON. I think the estimated revenues would about do it. You remember right now I said we foresee and, of course, you recognize how far we can foresee, that there will be a balance at the end of it of somewhat over \$100 million.

Mr. BALDWIN. You are talking about at the end of the whole 15 years.

Mr. WHITTON. It is not 15, but to 1972. Yes. Then if we use the \$75 million, as one bill would suggest, we would theoretically have a balance of about \$100 million. So that is too close, really, to make positive statements one way or another as I see it. Certainly there are pluses on both sides of that.

Mr. SCHERER. If you followed Mr. Moses' recommendation, though, and paid for removal costs to the extent he recommended in his testimony we would not come out, would we?

Mr. WHITTON. Well, that would be \$50 million additional cost.

Mr. FALLON. Let me suggest this, Mr. Whitton. If more money is put into the A B C, there are more matching funds made available, which actually increases the amount, that is, increasing the A B C on a 50-50 basis of matching would actually increase or put more money into the roadbuilding program than we send money out on a 90-10 basis.

Mr. WHITTON. Yes, sir. That is correct.

Mr. FALLON. So that is another thought I had in mind. We are actually spending more money for roads, even though no more money comes out of the trust fund. Is that right?

Mr. WHITTON. Yes, sir.

Mr. FALLON. Are there any more questions?

Mr. ROBISON. Mr. Whitton, if I remind you I am from New York, you can probably guess what I am going to ask you. We have reached the one-third point in the construction of the Interstate System, at least partly because a substantial number of miles of preexisting toll and free roads have been incorporated into the system. My question is, Has there been any change in the Department's view toward the perplexing problem of reimbursement for these roads?

Mr. WHITTON. No, sir. We think that reimbursement should occur, if it does, after the Interstate System has been completed.

Mr. ROBISON. Thank you.

Mr. FALLON. Are there any other questions?

Mr. WHITTON. May I say one further thing?

Mr. FALLON. Yes.

Mr. WHITTON. The work we have done to date—and this is the big plus of improvement work—saved 2,000 lives we think, last year in 1961; and this committee made that possible. Thank you for the opportunity.

Mr. FALLON. Mr. Whitton, I want to thank you and Mr. Turner for coming up here this morning. As always your testimony is very beneficial to the committee. In behalf of the committee I want to thank you again, and you, too, Mr. Turner.

Mr. TURNER. Thank you.

Mr. WHITTON. Thank you.

Mr. FALLON. We have before us our next witness, the representative from the Department of Agriculture, Mr. Arthur W. Greeley. Mr. Greeley, what section of the bill do you confine your testimony to?

(Two letters, April 20 including two tables and May 7, will be found beginning on p. 223.)

STATEMENT OF ARTHUR W. GREELEY, ASSISTANT CHIEF, FOREST SERVICE, ACCOMPANIED BY REYNOLDS G. FLORANCE, DIRECTOR, DIVISION OF LEGISLATIVE LIAISON, DEPARTMENT OF AGRICULTURE

Mr. GREELEY. Mr. Chairman, we will talk to a section which deals with the authorization for forest development roads and trails, section 2, part (3). Mr. Chairman, I have with me Mr. Reynolds G. Florance, who is the Director of our Division of Legislative Liaison, and with your permission I would like to have him sit with me.

Mr. FALLON. We are delighted to have him.

Mr. SCHERER. What page?

Mr. GREELEY. I have before me H.R. 11199.

Mr. SCHERER. Mr. Buckley's bill.

Mr. GREELEY. The forest development roads and trails appears on page 2, line 17, and in other bills it will be at the comparable place at about the same page and same line.

Mr. FALLON. That increases the amount of authorization from—

Mr. GREELEY. The present authorization, Mr. Fallon, is \$40 million.

Mr. FALLON. And that increases it for 1963, \$10 million?

Mr. GREELEY. Yes, sir.

Mr. FALLON. In 1964 it goes to \$70 million?

Mr. GREELEY. Yes, sir.

Mr. FALLON. And in 1965 it is \$85 million; is that correct?

Mr. GREELEY. Yes, sir.

Mr. FALLON. From \$40 million in each case?

Mr. GREELEY. That is correct.

Mr. Chairman, may I also insert that a report from the Department of Agriculture has been approved and made available this morning to members of the committee?

Mr. Chairman and committee members, I appreciate this opportunity to appear before you regarding H.R. 9725 and H.R. 11199 and also a third bill, H.R. 9848.

These bills would authorize appropriations for the fiscal years 1964-65 and for the construction of certain highways in accordance with title 23 of the United States Code. H.R. 11199 would also authorize additional appropriations for forest development roads and trails for fiscal year 1963.

These bills are of interest to the Department of Agriculture because they would provide authorizations for both of the ground transportation systems which serve the national forests. One of these is the forest highway system; the other is the forest development road and trail system. Both systems are essential for developing and obtaining the maximum practicable yield and use of the products and services of these forests on a continuing basis in accordance with the Multiple Use-Sustained Yield Act of June 12, 1960 (Public Law 86-517).

THE NATIONAL FOREST SYSTEM

The 154 national forests and 18 national grasslands in the national forest system consist of 186 million acres of Federal lands and waters located in 39 States and the Commonwealth of Puerto Rico. These lands yield water, timber, forage, recreation services, fish, big game,

other wildlife, and minerals. They include the most important watershed lands in the West and the headwater lands of many important rivers in the East.

Western agriculture and industry are heavily dependent on water flowing from national forest watersheds. They are the principal source of water for 1,800 municipalities in the West. These include major metropolitan areas such as Los Angeles, Phoenix, Portland, Salt Lake City, San Francisco, and Seattle. In the East these watersheds provide high-quality water supplies to many communities and industries. They also help regulate streamflow and reduce flood potentials on many rivers and streams.

The national forests contain 16 percent of the commercial forest lands and about 34 percent of the live sawtimber inventory in the 50 States of the Nation.

In fiscal year 1961 the cut of timber in the national forests was 8.4 billion board feet valued at \$98.4 million. This timber cut had a consumer value of about \$2 billion. Hundreds of thousands of people gain their livelihood processing timber grown in the national forests. In fiscal year 1961 the harvest from the national forests provided over 400,000 man-years of work.

The national forests are the habitat of over one-third of the big-game population of the country. In addition, the forests provide a large amount of small-game hunting. There are about 81,000 miles of fishing streams and 3 million acres of natural lakes and impounded waters in the national forests.

The national forests are of increasing importance for outdoor recreation as witnessed by the steady rise in the number of persons visiting them for recreation each year. In 1950 there were 27.4 million recreation visits to the national forests; in 1960 there were 92.6 million; and in 1961 there were 102 million such recreation visits.

The 60 million acres of rangelands in the national forests provide forage for livestock owned by 20,000 ranchers. Over one-fifth of the sheep and one-eighth of the cattle in the Western States graze national forest range for a portion of each year.

In fiscal year 1961 the total income to the U.S. Treasury from national forest revenues was \$99.6 million.

FOREST HIGHWAYS

Forest highways are parts of Federal-aid, State, county, and other public highways in and adjacent to the national forests. They are of primary importance to the States, counties, and communities for intrastate and interstate traffic and transport. These highways also provide primary access to and outlet from forest development roads and trails. They are heavily used by persons visiting the national forests for recreation and other purposes. Most of the products of the forests move over these highways en route to mill or market.

The forest highway system is administered by the Secretary of Commerce through the Bureau of Public Roads. According to the latest Report on Operation, Forest Highway System, 1960, U.S. Department of Commerce, there are 24,623.3 miles of roads in the designated forest highway system. The same report gave an estimate of \$2.5 billion as the cost of the additional work needed on the system as of June 30, 1960.

FOREST DEVELOPMENT ROADS AND TRAILS

Forest development roads and trails provide access to national forest lands for the protection, development, and multiple-use management of the forests, including resources of which communities in and near the forests are dependent. This system of roads and trails is administered by the Secretary of Agriculture through the Forest Service.

As of June 30, 1961, there were 179,213 miles of roads and 106,577 miles of trails on record in the forest development system. It is estimated that when completely installed this system will consist of 542,250 miles of access roads and that the trail network would be reduced to 80,000 miles. In 1958 it was estimated that the cost of installing the eventual system would be about \$6.7 billion. About 80 percent of the roads and trails that will eventually be needed should be installed by the year 2000 to assure meeting the annual demand for use of the wood, water, forage, wildlife, and recreation resources of the national forests that will exist on a continuing basis at that time.

An adequate system of forest development roads and trails is essential now to the proper development and beneficial use of the national forests and their resources.

The presence or lack of access by road or trail has a direct and controlling influence on most phases of forest management and utilization such as—

(a) The protection of National Forest resources from fire, insects, and disease;

(b) The use of recreation, hunting, and fishing areas;

(c) The volume of timber that can be marketed, especially for small sales, and the support of dependent communities and small business enterprises; and

(d) The level of salvage cutting in dead and dying timber stands and the opportunity to promptly salvage losses resulting from fire, windstorm, insects, and disease.

The existence of a road system permits an intensity of management and use for all national forest purposes that is not otherwise possible. Furthermore, roads that give access to national forest timber are investments which pay their own way over a period of years. Use of these roads by the public results in substantial benefits to the localities the roads serve.

The long-range objective of this Department is to provide and maintain a system of forest development roads and trails which will adequately service the national forest system at the levels needed to meet expected needs and optimum production of products and services. For the year 2000 we anticipate this will mean servicing (a) the protection requirements of watersheds producing at least 200 million acre-feet of water each year; (b) recreation and wildlife resources used each year by 635 million visitors; (c) a timber resource supporting an annual cut of 21 billion board feet; and (d) 60 million acres of rangelands. At this level of performance these federally owned properties will return an estimated \$400 million annually to the U.S. Treasury in the form of receipts.

In the 1961 messages on natural resources and American agriculture, President Kennedy indicated, among other things, a need to rejuvenate the Forest Service's long-range program for the development and

improvement of the national forests. A substantial reduction was called for in losses from forest insects and diseases. Intensified fire protection was urged. The Secretary of Agriculture responded to the President's urging that forest development on public lands be accelerated by preparing a revised development program for the national forests. This 10-year program, geared to getting the national forest system ready to meet the demands that will be placed upon it by the year 2000, was transmitted by the President to the Congress in September 1961. At that time the President emphasized the need for more consideration for roads and trails and stated:

I am confident that this program will be carefully reviewed by the appropriate congressional committees and that significant progress can be made in this important field.

The President's conservation message to the Congress of March 1, 1962, cited the need to accelerate the development of national forest multiple-purpose roads and trails to implement the 10-year development program.

Service at the levels of production and utilization visualized in this development program will eventually require the construction of about 379,000 miles of new roads and 6,000 miles of new trails, along with the reconstruction to higher standards of about 105,000 miles of roads and 10,500 miles of trails. About 26,500 miles of existing trails. About 26,500 miles of existing trails will be replaced in service by the construction of new roads. About 80 percent of these long-range requirements should be met by the year 2000.

Program proposals for forest development roads and trails for the 10-year period 1963-72 are as follows:

1. Complete the construction and reconstruction of about 79,400 miles of multiple-purpose roads and 8,000 miles of trails. This constitutes about 17 percent of the long-range requirements for these facilities.

Approximately 40 percent of the value of roads for access to timber planned for this period will be provided by purchasers of national forest timber, but paid for by the Government through adjustment of stumpage prices.

2. Provide maintenance to full standards on the 268,900 miles of existing access roads and trails and on the new roads and trails that will be constructed during the period.

The estimated cost of the road and trail construction proposed in this 10-year program is approximately \$1.7 billion, of which about \$1.2 billion should be financed with appropriated funds. The balance of about \$0.5 billion would constitute work performed by purchasers of national forest stumpage and would be financed by appropriate allowances in the appraisals of timber offered for sale. During the same decade about \$242 million will be required for maintenance of the system. For this work about \$182 million appropriated funds will be needed. The balance—\$60 million—represents the value of maintenance work that will be required of purchasers of national forest timber during the period.

Because an adequate system of roads and trails is essential for the other phases of the 10-year development program, orderly execution of the rest of the development program for the national forests requires substantial investments in road construction for each year of the program beginning with fiscal year 1963.

In the 1962 message on the conservation program, the President recommended approval of legislation to accelerate the development of national forest multiple-purpose roads and trails. The level of authorizations which I will now discuss and recommend are those to which the President had reference in the message.

The authorization provided in the Federal Highway Act of 1960 for forest development roads and trails for fiscal year 1963 falls critically below the level of financing now seen as needed. In the fiscal year 1963 budget, which is now being acted on by the Congress, the road portion of the development program for the national forests is financed at 68 percent, while the program as a whole, exclusive of research, is being financed at about 84.5 percent of the planned level. Consequently, in order to catch up, there is urgent need for the additional fiscal year 1963 authorization that is requested here.

For the fiscal years 1964 and 1965 authorizations of \$70 and \$85 million, respectively, will be necessary to keep the program on schedule and provide the access needed to harvest the timber cut projected for these years and to meet critical needs for fire and recreation roads.

Mr. SCHERER. Do I understand, Witness, that you are asking for an increase from \$33 million which you now get—

Mr. GREELEY. The \$33 million, Mr. Scherer, is the authorization for the forest highways.

Mr. SCHERER. That is right.

Mr. GREELEY. And this testimony goes to the authorization for the forest development roads. We are making no recommendation with reference to the forest highways, since this is a function of the Department of Commerce.

Mr. SCHERER. You get \$40 million now?

Mr. GREELEY. Yes.

Mr. SCHERER. And the Fallon bill provides for \$40 million, and you are asking for that amount to be increased to \$70 million for 1964, and \$85 million for 1965?

Mr. GREELEY. That is correct.

Mr. SCHERER. And this money does not come out of the trust fund, but out of the general fund?

Mr. GREELEY. That is correct.

Mr. SCHERER. You know that is going to be borrowed money, don't you, because we are broke?

Mr. GREELEY. This is an activity in which the funds that are expended constitute an investment, with a major portion returned through the value of stumpage sold.

Mr. SCHERER. I just wanted to know if you understand we would have to borrow this increased amount, because we are going to run a deficit of about \$8 billion this year.

Mr. GREELEY. I guess if I understand figures that large, sir, I do understand the point you are making.

We therefore recommend the enactment of H.R. 11199 insofar as it relates to the authorizations for forest development roads and trails.

BENEFITS THAT WILL ACCRUE FROM THE DEVELOPMENT PROGRAM FOR THE NATIONAL FORESTS

Under this 10-year development program, management and utilization of national forest resources will keep pace with population growth and national economic development and needs.

Many of the benefits from the development program for the 10-year period will carry over, or will be unrealized, until after the end of the period. Investments in such measures as roadbuilding, tree planting, range reseeding, water conservation, recreation, and other improvements proposed in the initial period are geared not only to short-term needs, but also to the longer range objectives of meeting expected demands on the national forest system during the remainder of the century.

Benefits include direct financial revenues, secondary benefits, and intangible values.

Direct financial revenues from the national forest system will rise to about \$230 million annually by the time the 10-year program is completed, or nearly double current receipts. These receipts will then continue to exceed annual operating expenses of the program. On the current basis of fees for uses and products, over 90 percent of revenues will continue to come from the sale of standing timber. By the year 2000 the annual worth of the national forest timber sales should reach \$350 million, based on 1960 prices.

Payments from national forest revenues for county schools and roads will increase correspondingly.

The capital value of the timber, forage, and lands of the national forest system will have increased by about \$2 billion as a result of the 10-year program.

Secondary benefits include such things as numbers of people employed directly on the 10-year program work and the harvesting of national forest timber and other products and the value added to those products by manufacture, distribution, and marketing. Another very important benefit from the immediate implementation of the program would be the acceleration of resource development in areas of labor surplus and low rural income. Of the 186 million acres of land under Forest Service administration, approximately 80 million acres are in or adjacent to present areas of labor surplus and low rural incomes. The planned work and the resultant resource development would contribute materially to accelerating the economy of these areas.

In timber alone, it is estimated that for every dollar of national forest stumpage sold, the end products will be worth about \$20 by the time they reach the ultimate consumer. This means that the annual sale of 13 billion board-feet of sawtimber expected to be reached by the end of the 10-year period will have a total consumer value of over \$4 billion. The estimated employment directly associated with the utilization of timber harvested from the national forests will amount to about 800,000 man-years annually by 1972. This will be about twice the current level.

It is estimated that recreational use of the national forest system will reach 195 million visits by 1972, in contrast to the 92.5 million visits in 1960, and a probable 635 million by 2000. The recreationists making these 195 million visits will put into trade channels substantial amounts of money for sporting equipment, transportation, licenses, lodging, and other items.

Most of the truly intangible values of the national forests are experienced by those millions of people who use the national forests for reasons other than commercial utilization of resources. No measure of value expresses the real worth of the relaxation, pleasure, rest, spiritual satisfaction, and improvement in health derived from recreation use of the national forests.

Nor can there be any complete assessment in dollars of the lives saved, damage prevented, and resources preserved by improved accessibility, suppression of insect and disease epidemics, fires prevented or controlled when small, and reduction and prevention of floods. All of these are benefits of the conservation program proposed for the national forests.

Substantial progress has been made. The foundation for progress is in place. This 10-year development program builds on that foundation. The result will be full development of these extensive and valuable public properties.

In closing I want to reiterate the point that access is prerequisite to obtaining these benefits. The authorizations which we have recommended are thus the keystone of the rest of the national forest program. Since road maintenance must take first priority, any reduction below the levels of authorization recommended will necessitate a corresponding reduction in funds programed for construction.

Mr. Chairman, I thank you for the opportunity to make this statement.

Mr. FALLON. Thank you. Are there any questions? Mr. Baldwin.

Mr. BALDWIN. The last time we passed the A-B-C road program, 2 years ago, we authorized the sum of \$40 million for the 2 years involved. How much was appropriated for fiscal year 1962, the fiscal year we are now in, for that purpose?

Mr. GREELEY. The authorization for fiscal year 1962 was \$35 million.

Mr. BALDWIN. How much was appropriated?

Mr. GREELEY. All of that was appropriated, and in addition to that the Appropriations Committee authorized us to draw on advance contract authorizations to the extent of \$2½ million.

Mr. BALDWIN. And that would be \$37½ million?

Mr. GREELEY. That was available for fiscal 1962.

Mr. BALDWIN. For fiscal year 1963 how much is in the budget for forest development roads and trails?

Mr. GREELEY. The same amount. We have asked for the balance of our authorization which is \$37½ million.

Mr. BALDWIN. So you have deducted the \$2½ million?

Mr. GREELEY. That is correct.

Mr. BALDWIN. And made an advance withdrawal again?

Mr. GREELEY. That is right. We used, with the concurrence of the Appropriations Committee, \$2½ million of the fiscal year 1963 authorization as an advance contract authority in fiscal 1962, so the program level for the 2 years is the same.

Mr. BALDWIN. If we were to do what you recommend; that is, increase the authorization for fiscal year 1963 by an additional \$10 million, bringing it up to \$50 million, do you then contemplate you would come in with a supplemental appropriation request for that additional \$10 million?

Mr. GREELEY. Yes, sir. That is what we contemplate.

Mr. BALDWIN. For fiscal year 1963?

Mr. GREELEY. That is correct, Mr. Baldwin.

Mr. BALDWIN. I have somewhat the same general feeling Mr. Scherer has as to these increases. I have been in favor of an increase generally from year to year in the forest development roads and trails program. As I recall it, we actually adopted an amendment 2 years

ago for an increase over the bill we actually had before us at the start, but I have considerable doubt as to an increase of this magnitude in the program. These funds come out of the General Treasury, and although they might come back eventually, they are nevertheless charged to the fiscal year that they are appropriated in.

Mr. GREELEY. Oh, that is true. Yes. But, Mr. Baldwin, I do again want to point out that on the order of between 75 and 80 percent of the road funds which are spent for construction of these forest development roads in the national forest go into areas which develop timber which can be made available for sale.

Mr. BALDWIN. I understand that, Mr. Greeley, but the thing I am a little bit concerned about is this: I am from the State of California and I can assure you that there is no great shortage of timber on the market in California, or anywhere in the United States, at the present time. Unfortunately, the timber market is pretty well broken down in the sense that there is not an adequate demand for the amount of timber coming on the market.

Mr. GREELEY. At the very same time, Mr. Baldwin, we are receiving a large amount of pressure from the forest industry people to get ahead with the development of federally financed roads so that additional areas, which are not now opened up to roads, can be made available in the immediate future years.

Mr. BALDWIN. I understand you get the pressure, but I would like to ask this question: The timber market today is a depressed market. As I say, there is enough timber coming on the market and it is more than the available demand. Therefore, the prices are depressed. If we are going to build all of these additional roads and bring more timber on the market from the national forests, is this not going to depress the market even further if the demand remains the same?

Mr. SCHERER. Then we will subsidize the lumber people.

Mr. GREELEY. Mr. Baldwin, I would think if that were a serious problem the people in the forest industry who have been talking so vigorously to us about road problems would be urging that we not build more roads, and urging that we not put timber on the market for sale; but all of the pressures we are getting from the forest industry—and they are coming from all over the country, sir—are to make more timber available on the market. We are criticized, if anything, for failure to put up for sale the full amount of our allowable cut, rather than putting up too much timber for sale.

Mr. BALDWIN. I am sure that the gentleman, being a competent witness, is familiar with the law of supply and demand. If more timber comes on the market this year I do not see that the demand is necessarily going to be increased by that amount—it certainly has not been demonstrated in the last year or two in the timber market. We have had a depression in California in the timber market, and I am sure on the whole west coast in the last year or two, and if more timber comes from the national forest it will not only compete with timber from other sources, because a lot of timber on the west coast, of course, is owned by various lumber companies that owned property of their own. I am not necessarily convinced that there is such a demand for timber that we need to expand this at a greater rate. I think we should make some expansion in the funds, probably, but more than doubling it in 2 years time, as compared to the original authorization for fiscal year 1963, seems to be somewhat excessive to me.

Mr. GREELEY. Mr. Baldwin, one of the things we have critically needed in the management of the national forests has been ability to develop some lead time in the development of road plans, surveys, and construction so that our timber harvesting operations can be gotten on to a more orderly basis than has been the case through most of the past 15 years. We are soundly criticized, and I think with some merit, by units of the forest industry who depend primarily on the national forests. That is the segment of the industry which does not have supplies of its own. Because we have had too many examples of the national forests making an announcement of a list of sale proposals for the year and then failing during the course of the year to keep up with the announced sale program.

Mr. BALDWIN. That is not the fault of this committee, because our bills are passed sufficiently in advance so that the Forest Service knows what they are authorized to do. If there is fault, it is the fault of the administration of the program of the Forest Service.

Mr. GREELEY. It is one of the reasons why we are asking for an increase in the amount of road money available. Because part of our problem has been the pressing fact that we have not been able to move ahead with federally financed road construction to get the sale layouts and sale schedules a year or two, or preferably 3 years ahead in the lead time.

Mr. FALLON. Will the gentleman yield?

Mr. GREELEY. Yes.

Mr. FALLON. Mr. Greeley, I guess you know we have been progressively increasing the authorization for this category of roads, and since Mr. Johnson has been a member of the committee it has not lost momentum. I understand he has an amendment to either one of the bills, that we increase this. We realize from the testimony over the years that this is a necessary function and it should certainly be encouraged, but the thing that seems to worry me and the rest of the members is that the progress is a little fast for us to comprehend, although in your testimony I think you have fully justified an increase, but the question is as to what it should be.

Mr. SCHERER. Wasn't there an increase through your amendment last year, Mr. Johnson?

Mr. JOHNSON. Two years ago or a year ago.

Mr. SCHERER. But for the 2-year period you had an increase of what, by your amendment? Ten million dollars each year, was it not?

Mr. JOHNSON. About \$10 million.

Mr. FALLON. About \$10 million. This would require, of course, an increase in personnel and everything else along the line to accelerate the program in that length of time.

Mr. GREELEY. This, sir, is what we feel is necessary and what we would have to do.

Mr. FALLON. Mr. Greeley, how many States benefit by this authorization?

Mr. GREELEY. The national forests are located in 39 States, Mr. Fallon.

Mr. SCHERER. Do you have this type of road development in all of the States?

Mr. GREELEY. There would be some lengths of this type of road in the national forests in all of the 39 States.

Mr. FALLON. How are they apportioned?

Mr. GREELEY. There is no formula of apportionment. The law directs that the money be distributed on the basis of the need for development within these various national forests.

Mr. SCHERER. But three States get the most of the funds. Isn't that so?

Mr. GREELEY. Oregon, California—and I have to check on the third one.

Mr. FALLON. Do you have a schedule showing the amount that each State gets?

Mr. GREELEY. We can give you a schedule showing the amounts that would be included and go to the various States if the \$10 million increase for fiscal year 1963 were to be appropriated.

Mr. SCHERER. About three States get about 70 percent of this money.

Mr. GREELEY. Mr. Scherer, it would be Oregon and California, and I think the third State would be either Washington or Idaho.

Mr. SCHERER. Do those three get about 70 percent?

Mr. GREELEY. I do not think it runs 70 percent. It would run over half. I would have to provide those figures for the record, but I cannot put my fingers on it at the moment.

Mr. FALLON. How much of this program is done by the Bureau of Public Roads?

Mr. GREELEY. The present arrangement is about \$3 or \$4 million of this is done by the Bureau of Public Roads at our request.

Mr. FALLON. Is this work handled by contract by you?

Mr. GREELEY. Yes, sir. In order to complete this picture I think I should also point out that in connection with the sale of national forest timber, of course, purchasers of that timber construct the roads that are necessary to get into the areas where the timber is located, and by and large these are roads on the national forest system, and the forest development roads system. The value of the work now being done by purchasers amounts to about \$45 million a year. The fact that the purchasers are making so much contribution to this program calls for quite a drawdown on our available funds, because the Forest Service does the engineering for that work and the Forest Service also finances the bulk of the permanent drainage, like culverts and bridges, so something like between \$14 and \$16 million a year of the funds available for the whole national forest road system is going into the amounts necessary to supplement this work on roads which is done by the purchasers of national forest timber.

Mr. FALLON. Thank you. Are there any other questions? Thank you very much, Mr. Greeley. I would like to ask unanimous consent of the committee at this point to insert in the record a letter from the Secretary of Agriculture, Orville L. Freeman, and I think it should probably precede your testimony.

Mr. GREELEY. If it could be arranged.

Mr. FALLON. If there is no objection. Thank you very much, Mr. Greeley.

Mr. GREELEY. Thank you very much, Mr. Chairman and members of the committee.

(The letter from Orville L. Freeman, Secretary of Agriculture, dated Apr. 17, 1962, is as follows:)

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 17, 1962.

HON. CHARLES A. BUCKLEY,
Chairman, Committee on Public Works,
House of Representatives.

DEAR MR. CHAIRMAN: This is in response to your requests of January 19 and January 25, 1962, for the views of this Department on H.R. 9725 and H.R. 9848, identical bills to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

We favor the objectives of these bills insofar as they affect the programs of this Department. We recommend, however, the enactment of the draft bill submitted by the Acting Secretary of Commerce and introduced as H.R. 11199.

All of these bills would authorize appropriations for the fiscal years 1964 and 1965 for various highways and roads and trails. H.R. 11199 would in addition authorize additional appropriations for forest development roads and trails for fiscal year 1963.

The bills would provide authorizations for forest highways. This Department is interested in the forest highway system since these roads provide primary access to and outlet from the forest development road and trail system. However, the Department of Commerce administers the forest highway system and appropriations for these highways are made to that Department.

The bills also would authorize appropriations for forest development roads and trails.

At the present time, forest development road and trail construction and maintenance are carried out with funds appropriated under title 23 of the United States Code, with the 10 percent of national forest receipts made available by section 501 of title 16 of the United States Code, and by purchasers of national forest timber with appropriate allowances therefor in timber appraisals.

An adequate system of forest development roads and trails connecting with forest highways or other highways is essential to proper management and beneficial use of national forest lands and their resources. The presence or absence of transportation facilities has a controlling influence on all phases of forest land management and resource utilization. This factor largely determines the volume of timber that can be marketed, the size, duration, and distribution of timber sales within working circles, and the level of salvage cuttings. It strongly influences the effectiveness of measures for protecting the forests from fire, insects, and diseases. It sets the level of use made of the recreation and wildlife resources of the forests.

Because management of the national forests depends so largely on an adequate system of development roads and trails, the development program for the national forests which President Kennedy submitted to the Congress on September 21, 1961, proposed for the 10-year period 1963-72 the construction and reconstruction of about 79,400 miles of multiple-purpose roads and 8,000 miles of trails. In his conservation message to the Congress on March 1, 1962, the President cited the need to accelerate the development of national multiple-purpose forest roads and trails to implement the 10-year development program.

The estimated amounts of appropriated funds that will be needed to finance the necessary road and trail construction and reconstruction for fiscal years 1964 and 1965 are considerably in excess of the amounts that would be authorized by H.R. 9725 and H.R. 9848. For the fiscal years 1964 and 1965 authorizations of \$70 and \$85 million respectively will be necessary to keep the program reasonably on schedule and provide the access needed to harvest the timber cut projected for these years and to meet critical needs for fire and recreation roads.

The authorization for forest development roads and trails for fiscal year 1963 provided in the Federal Highway Act of 1960 likewise falls below the level of financing needed to bring about full development and maximum utilization of the resources of the national forests. An additional \$10 million authorization is urgently needed to keep the roadbuilding program more nearly in pace with other developments and timber harvest operations planned and underway as part of the development program for the national forests.

Acceleration of the forest development road and trail program represents a wise investment of public money. Roads that give access to national forest timber will pay their way over a period of years through greater stumpage returns and

at the same time will facilitate expanded uses. Multiple-purpose roads to be used by the public will result in other substantial community benefits. The existence of a complete road system will permit an intensity of protection, management, and use that is not otherwise possible.

H.R. 11199 would provide urgently needed authorizations for forest development roads and trails for fiscal years 1963, 1964, and 1965.

The Bureau of the Budget advises that the enactment of this proposed legislation would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN.

Mr. FALLON. May the Chair say at this point that circumstances beyond our control have arisen and, as a result, we would like to make the following suggestion: We have some witnesses here today from the Department of the Interior. I understand that some of the gentlemen are from Washington, D.C. Also, we have a number of witnesses, all of whom are from out of the State, and they were supposed to come on this afternoon. I am wondering if it would be possible for the witnesses from the Department of the Interior to come back at another time after the Easter recess. If there is no objection, would somebody speak to that?

Mr. MANGAN. Yes. I am Martin P. Mangan, Assistant Commissioner, Bureau of Indian Affairs, here to present the Interior Department's position along with my colleagues. We are all from Washington here and will be available to the committee and will be glad to remain available.

Mr. FALLON. I am glad that you appreciate our problem. Thank you for coming, and the clerk will inform you when we have our next hearing after the Easter recess. With that the committee will recess until 2 o'clock, at which time we will hear from the American Association of State Highway Officials.

(Whereupon, as 12 m., the hearing was recessed until 2 p.m. of the same day.)

AFTERNOON SESSION

Mr. FALLON. Gentlemen, the Subcommittee on Roads of the Public Works Committee is meeting this afternoon for the continuation of hearings on H.R. 9725, H.R. 11199 and H.R. 9848. Our first witness this afternoon will be Mr. J. C. Womack, of California, president of the American Association of State Highway Officials. Come up, please, Mr. Womack.

STATEMENT OF J. C. WOMACK, PRESIDENT, AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS; ACCOMPANIED BY THE FOLLOWING MEMBERS OF THE LEGISLATIVE COMMITTEE: RALPH R. BARTLESMAYER, OF ILLINOIS; D. C. GREER, OF TEXAS; W. A. BUGGE, OF WASHINGTON; AND D. H. BRAY, OF KENTUCKY

Mr. WOMACK. Mr. Chairman, the statement that I will read this afternoon was prepared by our legislative committee, and there are four members of that committee here, and with your permission I would like to introduce them.

Mr. FALLON. Yes. We would appreciate it.

Mr. WOMACK. Mr. Ralph R. Bartlesmeyer, of Illinois; Mr. D. C. Greer, of Texas; Mr. W. A. Bugge, of Washington; and Mr. D. H. Bray, of Kentucky.

Mr. FALLON. I might say, Mr. Womack, these gentlemen have appeared before the committee before and need no introduction. We are very happy they are here today. The committee appreciates it.

Mr. WOMACK. Thank you.

Mr. SCHERER. Are they all available for cross-examination?

Mr. FALLON. They are all available for cross-examination except Mr. Bugge. He has to catch a plane.

Mr. BALDWIN. Mr. Chairman.

Mr. BLATNIK. Mr. Baldwin.

Mr. BALDWIN. I would like to say on behalf of Congressman Johnson and Congressman McFall and myself, Mr. Womack, we are particularly pleased to have you come and appear before us, and we feel that our State has been honored by your selection as president of the American Association of State Highway Officials. We have great confidence in your ability to carry out your assignment in that capacity, with credit to our State.

Mr. WOMACK. Thank you very much.

Mr. FALLON. Since Mr. Johnson's name was mentioned he might want to say something at this point.

Mr. JOHNSON. In the interests of time, I think Mr. Womack knows my sentiments as far as he is concerned. He has done a very fine job in our State, and I am sure will do a very fine job as head of the association throughout the United States.

Mr. SCHERER. He certainly rates the esteem of this Member of Congress for the State of California.

Mr. FALLON. Mr. Womack, won't you come a little bit closer to the compliments?

Mr. WOMACK. We would like to have permission for Mr. Johnson, of our executive committee, to sit at the witness table with me.

Mr. FALLON. Well, we kind of expected that.

Mr. WOMACK. All right.

Mr. FALLON. Mr. Womack, my wife and I visited California on the occasion of the two conventions there, one of the Associated General Contractors in Los Angeles, and the American Road Builders in San Francisco. I want to tell you how much we appreciate the very fine welcome given by you and your department in California, and the special treatment that we received. I was shocked to find out this morning that the engineer who was assigned to us by you while we were in California died shortly after we left. I might say that he was a very intelligent and a very nice fellow. He did not look as though he was much past 40 years of age. Mr. Scherer and his wife visited at the same time and Mr. Scherer would like perhaps to comment with respect to the way he was treated by the Californians.

Mr. SCHERER. You have said it so well, all I can do is ditto your remarks.

Mr. GRAY. Mr. Chairman, before the witness proceeds, I too would like to associate myself with the remarks made by you. I wish to compliment Mr. Womack. I was the ranking majority member of the subcommittee that visited California last year in the districts of Mr. Baldwin, Mr. McFall, and Mr. Johnson. We had a wonderful time as well as gaining very valuable information concerning the road

program there. Mr. Womack was a very gracious host, and I do not want the occasion to pass without, on behalf of the committee, thanking him for the time and effort he expended on our behalf. Also I want to take this opportunity to say that our own chief engineer, Mr. Bartlesmeyer, of Illinois, is in the room today, and he is also doing a great job for the State of Illinois as the chief highway engineer.

Mr. WOMACK. Thank you.

Mr. BARTLESMEYER. Thank you.

Mr. WRIGHT. Mr. Chairman, may I also associate myself with these remarks of respect and appreciation, and with regret for not having been able to make that trip; but when you have a State highway system such as we have in Texas, directed by a man with the intelligence, integrity, and character that Mr. Greer has, you just hate to get out of the State.

Mr. FALLON. Mr. Womack, I assume we all have a copy of your statement.

Mr. WOMACK. Yes, Mr. Chairman.

Mr. FALLON. We will be happy to have you gentlemen proceed then with your statements.

Mr. WOMACK. Mr. Chairman and members of the committee, I am J. C. Womack, State highway engineer of California, and have the honor and privilege of speaking to you today for the State highway departments as president of the American Association of State Highway Officials.

We support H.R. 9725, and, in so doing, we are testifying on the basis of a policy statement that was developed and adopted at our last annual meeting in Denver, Colo., on October 8, 1961, by the chief administrative officers of the several State highway departments.

We follow this procedure in order that we may give you the collective thinking of the men who administer the State highway departments and in order that we can save the valuable time of your committee by eliminating the necessity of your having to hear many State witnesses.

The A-B-C Federal-aid highway program has been the vehicle through which this Nation has developed its highway system that has been so essential in developing our dynamic economy and our way of life.

Through the years, the A-B-C Federal-aid program has exerted a strong stabilizing influence over the highway functions of this country. It has been the means whereby the very valuable and productive Bureau of Public Roads-State highway department partnership has been developed, which has such a solid record of accomplishment in the public interest.

Although the interstate highway program is big and glamorous, and is necessary to handle the growing streams of major traffic, and is essential for an expanding economy, it is the A-B-C program that is the one that serves the most people direct and every day and may be termed the backbone of this Nation's highway network.

We are happy to see your committee continue hearings on the A-B-C programs biennially, as we believe that such procedure is essential to maintain a healthy highway interest in the Congress and to develop informed highway leaders on Capitol Hill.

We note that H.R. 9725 has been introduced without amendments. We are quick to see the logic in this plan, and we support it.

In support of H.R. 9725, we refer to certain sections of our 1962 official policy statement, and from it we point out the following:

That it is of the utmost importance that the highway construction programs of this Nation be kept in balance for the various Federal-aid systems involved.

That the present percentages for matching Interstate and A-B-C System programs should be continued.

That the A-B-C Federal-aid programs be continued with a \$25 million annual incremental increase each year until it reaches \$1 billion authorization per year. After that time, the matter should be further evaluated.

That the associations supports the current division of total authorized A-B-C funds of 45 percent of the Federal-aid primary system, 30 percent to the secondary Federal-aid system, and 25 percent to extensions of Federal-aid systems in urban areas, inasmuch as the 20-percent transfer provision of 104(c) of title 23, United States Code—Highways, gives sufficient flexibility to meet the needs of the individual States.

That the apportionments in the full amount of the congressional authorizations for all Federal domain roads should be made and utilized, and such funds should not come from the Federal highway trust fund.

At this point, we would like permission to insert into the record a copy of 1962 Official Policy Statement, which contains several items that you might give consideration to at some later time when the matter of changes in title 23, United States Code—Highways, might be appropriate.

Mr. FALLON. Without objection, it is so ordered.

(The document referred to is as follows:)

1962 POLICY STATEMENT OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS AS DEVELOPED AND ADOPTED BY THE CHIEF ADMINISTRATIVE OFFICERS OF THE STATE HIGHWAY DEPARTMENTS, MEETING IN DENVER, COLO., OCTOBER 8, 1961

1. That the State highway departments, working together and with the Federal Bureau of Public Roads, have been responsible for the major roadbuilding efforts of this Nation, and this proven partnership, that has given this country world leadership status in highway know-how, should continue to be utilized in the same manner as in the past in constructing present and future Federal-aid highway programs.

2. That the association should vigorously oppose any proposals that would require a certain type of organization and operation for a State highway department as a prerequisite for the State receiving Federal-aid highway funds inasmuch as all State highway departments are departments of sovereign State governments. The Federal-Aid Highway Act of 1916 required that the State highway organization be adequate for the purpose and proper safeguards now exist in Federal law to protect the Federal interests.

3. That upon the completion of a Federal-aid project, the road which belongs to the State and is maintained entirely at State expense should be policed, operated, and maintained completely by the State and without any Federal requirements other than those set out in sections 111 and 116, title 23, United States Code, Highways. The States have effective means of achieving the desired degree of uniformity in signing, marking, speed regulation, vehicle weight and size control, law enforcement, et cetera, to adequately serve the public interest and to make any nationalization in this area unnecessary.

4. That no Federal agencies or other groups, other than the Bureau of Public Roads, should have the approval power over Federal-aid highway projects initiated by the State highway departments. However, the State highway departments should develop their projects in close cooperation with other affected groups and agencies. To extend the area of project approval could invite controversy and delay the initiation of vitally needed highway improvements.

5. That the development of controlling highway design standards and highway signing and traffic control methods for the Federal-aid highway systems is engineering in nature and should never be established by legislation, but handled jointly by the State highway departments and the Bureau of Public Roads.

6. That it is of the utmost importance that the highway construction programs of this Nation be kept in balance for the various Federal-aid systems involved.

7. That the present percentages for matching Interstate and A-B-C System programs be continued and that strong opposition should be exerted against any proposed increases in the Federal percentage of participation, in light of the many demands made on State highway funds to furnish and maintain highways.

8. That the A-B-C Federal-aid road programs be continued with a \$25 million annual incremental increase each year until it reaches \$1 billion authorization per year. After that time, the matter should be further evaluated.

9. That the association supports the current division of total authorized A-B-C funds of 45 percent to the Federal-aid primary system, 30 percent to the secondary Federal-aid system, and 25 percent to extensions of Federal-aid systems in urban areas, inasmuch as the 20 percent transfer provision of 104(c) of title 23, United States Code, Highways, gives sufficient flexibility to meet the needs of the individual States.

10. It is recommended that funds apportioned for use on the Federal-aid secondary system be made available for use on projects located on Federal-aid secondary routes in urban areas.

11. That the association endorses the secondary road plan as set forth under section 117 in title 23, United States Code, Highways.

12. That adequate Federal financing for the current enlarged Federal-aid highway program be continued so that the expressed intent of the Congress, as outlined in section 101(b) of title 23, United States Code, Highways, that was the basis for the State highway departments and the highway industry organizing and enlarging to handle the program, will have meaning. All of the justifications that existed for the activation of the program in 1956 still exist and are even more apparent now than at that time, and any interruptions or delays in the completion of the interstate program must be avoided.

13. That the association vigorously oppose the use of any Federal highway trust fund moneys for any purpose other than now authorized by law.

14. The contract authority procedure created by the Federal-Aid Highway Act of 1922 which gives the State the right to initiate projects as soon as official apportionment is made should be restored and the reimbursement planning procedure which was installed as a temporary expediency should be eliminated.

15. That the apportionments in the full amount of the congressional authorizations for all Federal domain roads should be made and utilized, and such funds should not come from the Federal highway trust fund.

16. That the association endorses the Interstate System completion schedule as outlined in the Federal-Aid Highway Act of 1961, and reassures the Congress of the State highway departments' ability to efficiently construct the program within that time schedule, and warns of the adverse economic impact of interruptions, cutbacks or stretchouts in the program.

17. That the association endorses the periodic interstate estimates, as provided in section 104(b)(5) or title 23, United States Code, Highways, as the only equitable and proper basis for the apportioning of Federal funds to the several States to achieve simultaneous construction and completion of the Interstate System in all States to adequate standards.

18. That there should be no sacrifice in the standards currently adopted for and being applied to the Interstate System. The matter of design standard development should never become static but should be constantly reviewed through the State highway department-Bureau of Public Roads partnership processes.

19. That adding mileage to the Interstate Highway System at this time would delay the completion of interstate routes and any additions should be considered at a later time when a greater percentage of the currently authorized Interstate System is completed and at such time that proposed additions can be more accurately evaluated. At that time Congress should reappraise the Nation's highway needs to determine if it is in the national interest to extend the program.

20. That the urban portions of the Interstate System are an integral and very important part of the system, which should be planned and developed by the State highway departments in close cooperation with local government units and interested Federal agencies. The importance of the urban sections of the Interstate Systems cannot be over emphasized, and an eventual enormous increase in cost could be created by a failure to recognize the problem at this time.

21. That the development and adoption of a comprehensive urban transportation plan should not be a requirement for the approval of a Federal-aid highway project in an urban area, but State highway departments should lend all possible assistance in the development of such plans in order that effective coordination of highway and urban development may be attained.

22. That there should be no change in the law prohibiting the establishment of commercial services on the right-of-way of the Interstate Highway System as set forth in section 111, title 23, United States Code, Highways.

23. That there should be no extension of section 113 of title 23, United States Code, Highways, whereby the Federal determination of wage rates would be extended to projects on road systems other than the interstate, nor should there be legislation to provide additional Federal control or jurisdiction over wages paid on projects located on the Interstate System.

24. That the State highway departments recommend that Federal legislation be provided whereby Federal-aid highway funds may be used for the construction of connections to existing or future toll roads, where such toll roads and the required connections are on any one of the Federal-aid highway systems.

25. That appropriate action, by legislation if necessary, be taken to facilitate the acquisition of adequate rights-of-way for highway purposes over Federal lands. Present difficulties, particularly with regard to military facilities and land subject to withdrawal for power purposes, seriously delay and materially increase the cost of needed projects.

26. That recent actions on requests by the State highway departments for reasonable and economically desirable vertical and horizontal navigation clearances at highway crossings of navigable streams indicate a continuance of the previously recognized necessity for legislation, making it mandatory that, except in special cases where the requirements of national defense govern, such clearances be determined on the basis of the minimal cost to all forms of transportation. The American Association of State Highway Officials therefore reiterates its support of and reemphasizes the need for early introduction and passage of Federal legislation on this subject similar to that included in the 1960 legislative program of the Department of Commerce.

27. That the State highway department have approval of any and all proposals and plans designed to set aside elements of any highway, under its jurisdiction, for the purpose of installing rail transit or for the exclusive use of a special type of motor transport and such special use should be considered only after comprehensive studies show it to be the most economical and efficient arrangement possible and that it is in the public interest and will not create a safety hazard.

28. That legislation should not require alternate bids on pavement types and/or minor drainage structure types but the determination of type should properly be determined by competent professional judgment based on the controlling engineering and economic considerations.

Mr. WOMACK. We also ask permission of the committee to insert into the record another policy statement developed and adopted at our last annual meeting, having to do with highways and their proper role in a national transportation policy.

Mr. FALLON. Without objection, it is so ordered.

(The document referred to is as follows:)

AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS, POLICY STATEMENT ON THE SUBJECT OF HIGHWAYS IN A NATIONAL TRANSPORTATION POLICY AS DEVELOPED AND ADOPTED BY THE CHIEF ADMINISTRATIVE OFFICERS OF THE STATE HIGHWAY DEPARTMENTS ASSEMBLED IN DENVER, COLO., OCTOBER 8, 1961

PREFACE

Highways and motor vehicles have furnished the people of the United States the freedom and flexibility of personal transportation that has won unprecedented acceptance and use of the motor vehicle and in so doing has strengthened the economy of this country and has given it transportation advantages no other country enjoys.

The objective of formulating a national transportation policy is a worthy one if interpreted in the right way. Restrictions upon the normal healthy growth of all forms of transportation should be removed. Competition within each mode of transportation should be encouraged; and this is true also of competition between modes of transportation, for the interest of the consumer must be protected. Government policy in regulation and ratemaking should be reexamined and revised to meet the needs of the present-day and future American economy.

A national transportation policy should not be restrictive or monolithic in character. It should be adaptable to the needs of different situations and subject to a continual revision in response to changing demands. Above all, it should

be a program that meets the desires of the American people. It should promote freedom of action, freedom and flexibility of movement of people and goods, allowing the individual to choose his mode of transportation.

The contributions made by the highway program to the national defense and the expanding economy are most significant. Highways afford the flexibility in transportation that is essential for the national and civil defense and for protecting population in case of natural disasters. This was recently demonstrated when highways were utilized to move large numbers of people out of the path of Hurricane Carla. The dynamic urbanization that is in progress, the decentralization of industry, and the Nation's ability to promptly move Armed Forces makes it essential that the Federal Government continuously review the matter and should be reflected in the amount of money made available for highways.

Stature of the highway transportation industry

Nearly 74 million motor vehicles were registered in the calendar year 1960, of which 62 million were automobiles and 12 million were trucks and buses. The 71 million vehicles registered in 1959 traveled 700 billion vehicle-miles. The travel in 1960 is estimated at about 720 billion. If we take the familiar figure of 10 cents per mile for the average cost of operating an automobile and remember that trucks and buses cost more than that to operate, it becomes evident that the money spent in motor vehicle transportation now amounts to more than \$80 billion a year. This is a sizable share of the American economy, and it is indicative of the intimate involvement of the motor vehicle in American life.

Motor vehicles in 1960 paid \$8.1 billion in taxes, fees, and tolls for the building, maintenance, and operation of highways. Of this, \$2.8 billion was paid in Federal gasoline taxes and other trust fund revenues. A total of \$5.1 billion was paid to State governments and the remainder to local governments. In addition, motor vehicles were taxed by both Federal and State Governments for general fund or specific nonhighway purposes.

Highway transportation differs from other modes in its all-pervasive nature. Although the greater part of motor vehicle travel occurs on primary roads and streets, in its totality it is distributed over 3 million miles of rural highways and more than 400,000 miles of urban highways and streets. Because of the widespread character of motor vehicle ownership and use, embracing the vast majority of American families, national transportation policies should be framed so as to protect the interests of motor vehicle owners and users. In the United States the individual considers the convenience and the privilege of personal transportation, without any special deterrents being invoked to restrict its use as an inviolate and precious right and he will resist any effort to make a change.

Objectives of highway planning and policy

Throughout the period of growth and maturity of highway transportation, it has been the objective of highway engineers and administrators to build, maintain, and operate highways in accordance with the indicated desires of the American people. Through the mechanism of the Federal-State relationship, a systematic program of highway planning was established during the 1930's and remains continuously in effect in all States and the National Government. The golden rule in all of the planning work is to find out what people want and to make plans to satisfy those wants. This means not only counting the traffic on the highways and classifying it as to type and weight composition, but also making origin-destination studies to determine where traffic originates and what destination it seeks. It is not by chance that the lines depicting the actual or potential traffic between zones of origin and zones of destination are called "desire lines." They do, indeed, interpret the desires of the people; and in that sense the origin-destination study is a ballot of the people's demands. These studies have proved a very powerful tool of planning research, particularly in urban areas. By correlating the results of home interview origin-destination studies with surveys of land use, the relationships between land uses and traffic demands are established. In planning for the future, the probable trends of land use are forecast and traffic assignments are made in accordance with these relationships.

In some transportation planning, particularly in urban areas, there seems to be a tendency to give the people not what they want but what the planners decide they should have. The standard raised is that of efficiency in transportation. A true measure of efficiency, however, means taking into account the quality of the service provided. The great economic growth of this country did not come through a policy of frugality. Indeed, it is just the opposite. The demand of the American public for something beyond the efficient minimum is a characteristic difference between our country and others. Transportation is a product to be

bought and used as is any other product, and the American public will select its transportation on the basis of what it wants and can afford, not what may be regarded as the most efficient.

Rural and intercity transportation

Of the 700 billion vehicle-miles traveled by motor vehicles in 1959, 376 billion were traveled on rural highways. Automobiles accounted for 295 billion vehicle-miles, buses for a little more than 2 billion, and trucks and combinations for 79 billion. The rural travel was divided between 280 billion on main rural roads and 96 billion on local roads. Competition with other modes of transportation is virtually limited to intercity traffic on main highways. In the matter of passenger transportation, the private automobile is dominant, accounting for about 90 percent of all intercity passenger-miles. Common carrier passenger transportation is shared among the railroads, buses, and airlines. Interstate Commerce Commission estimates for 1959 indicate that 32 billion passenger-miles were traveled by air, 22 billion by rail, and 20 billion by motorbus in that year.

Of the 12 million trucks registered in the United States, the great bulk are small single-unit trucks and other trucks and combinations engaged in local service, and thus not offering any competition to other modes of transportation. There are, however, several hundred thousand vehicles, mostly tractor-semitrailer and truck-trailer combinations engaged in over-the-road freight transportation. Here again, the domain of competition does not extend over all operations, since each mode has its own sphere of advantageous operating conditions. Trucks enjoy the greatest advantage in short haul and in the transport of highly rated commodities. That there is a very active sphere of competition between the trucks and the railroads is evidenced by recent changes in the relative volumes of intercity freight ton-miles accounted for by the two modes of transportation. Thus, in 1950, trucks carried 173 billion ton-miles, or 16.3 percent of the total of 1,063 billion ton-miles carried in that year. Railways carried 597 billion ton-miles, or 55.2 percent of the total. The Interstate Commerce Commission estimate for 1959 indicates that the railroads carried 46 percent of the intercity freight ton-miles of 1,313 billion, whereas 21 percent was carried on the highways.

A significant development in the last 20 years has been the growth of private or do-it-yourself transportation as distinguished from for-hire carrier transportation. Estimates indicate that private transportation has absorbed about one-third of all intercity ton-miles of freight. Both railway and highway common carriers have objected because of the fact that this mode of freight transportation is exempted from regulation, since a manufacturer or other business enterprise is free to transport its own goods in its own vehicles. There is no question that some abuses of this privilege occur and that the exemption of farm products and other commodities from Federal regulation occasions other irregularities. It must be recognized, however, that the objective of regulation is to foster the growth of quick, convenient, and flexible transportation, primarily in the interest of the consuming public.

Urban transportation

The field of urban transportation presents some difficult problems in the formulation of public policy. The decline in importance of public transit and the financial difficulties of numerous transit companies, combined with the mounting congestion of motor vehicle traffic in many large cities, poses the question of what shall be the relative roles of public transit and the private automobile in future urban planning. There has been a tendency among some who have approached this subject to go all out for the provision of rail-transit facilities and to advocate restrictive or punitive measures against the private automobile. It would seem much more wise to adhere to the ideal of giving the people what they want. Application of this ideal would result in a reasonable revival and redevelopment of rapid transit where it is truly in demand, together with the orderly development of urban freeway and arterial systems to channel traffic into and around the central business district according to the indicated desires of motor vehicle users.

The availability of flexible personal transportation has changed the place of public transportation in urban life and affected its income base to a degree that often seems to be overlooked. Public transportation in urban areas today has become largely a peak-hour, home-to-work movement. Today, to a far lesser degree, does the family go by streetcar on Sunday to a beach or other resort. The family seldom takes a streetcar to the downtown theater. The housewife uses transit only occasionally for shopping. Even the length of the week has changed for the transit company for there is now little home-to-work travel on Saturday. The continuing urbanization and its influence creates the need for flexibility of transportation that can only be served by the motor vehicle.

The base period business on which transit formerly could depend has largely gone, not for economic reasons but because of universal availability of a newer and better form of travel. And transit to survive must do so on its peak-hour business, with all the attendant difficulties of traffic congestion, the 40-hour week for labor, and other factors. Remedies often proposed, such as reduced taxes and less stringent regulation, would seem to be only palliatives, not real solutions to the basic problems resulting from the changed and changing pattern of American life.

The enthusiasm for the restoration of rapid transit to its former eminence has given rise to the assertion, in national advertising and elsewhere, that it takes 20 lanes of freeway to move as many people in an hour as can be moved on 1 rapid transit track. This assertion is based on the fact that a maximum of 40,000 persons can be moved in an hour on 1 track. The 20-lane comparison is based on 2,000 vehicles per lane per hour, with only 1 occupant each. Note that the transit line is assumed to realize its utmost capacity, an occurrence of the greatest rarity. On the other hand, the highway vehicles are assumed to be all automobiles, with only the driver occupying each one. If we fill the automobile, not to capacity, but with 5 persons each, we need only 4 lanes to accommodate 40,000 persons per hour. Finally, suppose we were to transport the 40,000 people in buses. Then, at 55 per bus, some 700 buses would be required, well under the capacity of a single freeway lane. As evidence of realism in this figure, 20,000 to 25,000 persons per hour are regularly moved in buses in a single lane through the Lincoln Tunnel with ample room for many private cars as well.

The above example illustrates the fact that bold assertion should not be substituted for careful examination of the facts in planning for the future of transportation in our great cities. The results of home interview of origin-destination studies deserve particular scrutiny. For example, in the analysis of a large number of these studies in cities ranging from less than 50,000 to more than 1 million, it was found that the percentage of total internal trips that had either origin or destination in the central business district varied from 21.6 in cities of less than 50,000 to 5.6 in cities of more than 1 million.

Rapid transit, which is geared to serve traffic in and out of the central business district, cannot cope with the need for movement in all directions throughout a metropolitan area. In New Orleans studies show that 92,000 vehicles enter the central business district daily between 8 a.m. and 6 p.m., of which 72,000 or 78 percent only pass through the downtown going to some other area in the city. Obviously this condition calls for inner and outer belt freeways and not primarily for rail transit.

It is to be expected that the analysis of origin-destination studies and other planning data will result in a realistic accommodation between the provision of adequate motor-vehicle transportation and a reasonable development of rail transit facilities. In this connection the potentialities of buses as a means of mass transit should be thoroughly explored. The urban planning of the future should be bold and farseeing, but it should be based on fact, not on fancy.

Any effort to stifle a form of transportation in order to preserve the central business district of a major urban area as the major retailing and service dispensing area of the region should be carefully weighed as to its ultimate effect on the overall economy and as to whether or not it is actually in the public interest. It may be that the modern function of the central business district is to undergo some change with retailing and services being adapted to a form of transportation desired by the public.

Success of Federal-State relationship

The continuing program of Federal aid for highways has been a part of national transportation policy since 1916. Under this program the strength and technical proficiency of the individual State highway departments have been fostered, and at the same time the national interest in a connected system of interstate, intercity, and intercounty highways has been promoted. By the passage of the Federal-Aid Highway Act of 1956, the Congress recognized the urgency of completing a modernized system of interstate highways, including urban connections, that would serve a substantial portion of the traffic to and from and through and around principal cities.

The States, in concert with the Bureau of Public Roads and other interested agencies, have moved to meet the challenge of the urban problem. The key to the situation is the integration of highway planning with other aspects of metropolitan area planning. The Federal Housing Act of 1961 has made possible closer cooperation between housing and highway agencies in urban transportation

planning; and planning funds authorized by the act may be used in combination with Federal Highway planning (1½ percent) funds to conduct urban transportation studies. The job, of course, must be done in each city and each city will present different problems. The numerous great metropolitan area studies, the Chicago area transportation study, the Los Angeles regional transportation study, the Penn-Jersey study in the Philadelphia-Camden area, the Atlanta study, the Baltimore-Washington study and the studies of the Tri-State area of Connecticut, New York, and New Jersey are all evidence of enlightened Federal-State-community planning and integration of the transportation plan with a regional plan of development.

On the national scale, one of the early efforts to improve planning techniques and develop State-local cooperation was made by the National Committee on Urban Transportation. This committee, financed primarily by the Bureau of Public Roads and the Automotive Safety Foundation, did its job well, and having done it, closed its doors last July.

The AMA-AASHO Joint Committee on Highways is and will continue to be an effective force in bringing about closer State-local relations. This committee has sponsored several State and regional meetings at which State and local officials were brought together to consider the cooperative approach to urban transportation planning, and it joined with the Urban Research Committee of the Highway Research Board in sponsoring the Sagamore Conference.

The Sagamore Conference itself was a milestone along the road to better mutual understanding between State and local groups. Here a group of highway officials, mayors, city managers, city planners, businessmen, economists, and other specialists hammered out a statement of individual and mutual responsibilities of State and local officials that, if conscientiously met, must surely produce a sound, mutually acceptable plan for transportation best suited to future community and highway user needs.

These efforts on a broad scale are but one facet of the developing cooperative approach. They spell out principles and suggest specific means and methods, but it remains for the States themselves, working with the local communities, to bring about the actual cooperation that is required not only in planning but in executive of the plan.

POLICY POSITION

1. There is no evidence that other forms of transportation would significantly reduce the need for more adequate and safe highways, inasmuch as our highway facilities are still behind our actual needs, so therefore any national transportation policy should not reduce or limit Federal aid or the Federal interest in the highway program in the foreseeable future.

2. The State highway departments, working together with the Federal Bureau of Public Roads for 45 years, have been responsible for the major roadbuilding efforts of this Nation and for the high degree of technological development that has occurred. This proven partnership should continue to be utilized in the same manner as in the past in constructing future Federal aid highway programs.

3. Federal aid funds for highways should continue to be apportioned to the State governments and not directly to any local levels of governments.

4. The coordination of planning and initiation of Federal-aid highway projects should continue to be the responsibility of the State highway authority.

5. The major responsibility of studying highway needs and planning the Nation's major highway transportation facilities must remain the responsibility of the several States.

6. The official State highway authority in the State should continue to be the Federal Government's contact with the State on highway matters.

7. The State governments should continue to have jurisdiction over the State highways within the scope of existing Federal and State laws regardless of the source of funds used for construction.

8. The program item, location, plans, specifications, estimates, and construction, as well as the quality of maintenance of projects constructed as Federal-aid projects, should continue to be approved by the Bureau of Public Roads to protect the Federal interest in the project.

9. No Federal agency or group, other than the Bureau of Public Roads, should have approval power over Federal-aid projects carried on by the State highway departments.

10. The development of highway design standards, highway signing, and traffic control methods, and bridge clearances, are engineering and/or economic in nature and should not be established by Federal legislation but should be evolved jointly by the State highway departments and the Bureau of Public Roads.

11. It is essential that the highway construction programs of this Nation be kept in balance for the various Federal aid systems involved and for the urban and rural sections of those systems. However, with changing economic and environmental influences, there should be a constant review as to what constitutes a balanced program.

12. The present basic percentages for matching interstate and A-B-C Federal aid highway programs should be continued in light of the many demands made of State highway funds to furnish and maintain highways.

13. Federal aid to the States on the A-B-C systems should continue because of the national interest in having a nationwide system of adequate roads and in keeping all facets of the national economy healthy.

14. Federal highway trust fund moneys should not be expended for any other purpose than now authorized by law. They should not be used to subsidize or to create other forms of transportation.

15. The contract authority procedure, created by the Federal-Aid Highway Act of 1922, which gives the State the right to initiate projects as soon as an official apportionment is made, should be restored and the reimbursement planning procedure, which was installed as a temporary expedient, should be eliminated.

16. The Interstate System should be completed on schedule without interruptions, or stretchouts, and no section of the system as planned should be deferred in an effort to try out the effectiveness of an alternate type of transportation.

17. The periodic interstate estimates, as provided by section 104(b)(5) of title 23, United States Code, Highways, is the equitable and proper basis for apportioning interstate Federal funds to the several States to achieve simultaneous construction and completion of the Interstate System to proper standards.

18. Adding mileage to the Interstate System at this time would result in the delay of the completion of interstate routes, and any additions should be considered at a later time when a greater percentage of the currently authorized Interstate System is completed and at such time that proposed additions can be more accurately evaluated. At that time Congress could reappraise the Nation's highway needs to determine if it is in the national interest to extend the program.

19. Urban portions of the Interstate System constitute an integral and essential part of the system and should be planned and developed by the State highway departments as urban extensions and connections of the overall highway network and should be done in close cooperation with the appropriate local governments and interested Federal agencies.

20. The development of scientific relationships between transportation, land use, and urban development should be explored and these interactions established in order that highways in urban areas may be properly planned to serve the greatest need. Such planning should be areawide in extent and utilize administrative and technical assistance of the local government in helping the State highway official arrive at the final decision.

21. In major urban areas, where both the highways and rail transit facilities are required, they should not be considered competitive, but should be planned to complement each other into an efficient integrated system for transporting people and goods, with the desires of the public being the major guide.

22. It is recognized that in many locations, space over and under major highways must be utilized, but, in so doing, State permission should be required in addition to meeting Federal requirements, inasmuch as the maintenance and operation of Federal-aid projects is a wholly State responsibility.

23. Artificial deterrents or negative incentives to automotive travel in urban areas should not be instituted inasmuch as natural phenomena and economic factors will properly control the problem, if and when it becomes a problem.

24. The matter of sizes and weights for commercial vehicles allowed on highways should be determined by the several States having jurisdiction over the highways, and every effort should be made through interstate compacts or other appropriate arrangements to eliminate any nonuniformity that would agitate for nationalization of the highway system.

The sizes and weights of vehicles allowed on highways should be based on engineering and economic studies that will protect the investment of highways, yet give the maximum use of highways and the several State governments should be encouraged to adopt uniform weight and size regulations as recommended by AASHO policy.

Each State should have the authority to temporarily reduce the maximum allowable weight and size dimension of vehicles permitted to operate over its highways during spring thaw period or other similar periods in order to protect the highway investment.

25. That the State highway department have approval of any and all proposals and plans designed to set aside elements of any highway, under its jurisdiction, for the purpose of installing rail transit or for the exclusive use of a special type of motor transport and such special use should be considered only after comprehensive studies show it to be the most economical and efficient arrangement possible and that it is in the public interest and will not create a safety hazard.

Mr. WOMACK. This transportation policy also was developed by the heads of the several State highway departments to emphasize the importance of highways in our economy and in our way of life, and not to promote highways, but to present some facts in the public interest that we believe were not receiving complete consideration by the several groups studying the matter of overall transportation policies.

It was also developed and presented to counteract some misinformation regarding highways and other forms of transportation.

We are certain that interest in all phases of transportation will become more important and attract more attention on the part of the Congress as time goes on, and as the dynamic urbanization of this Nation continues to present transportation and related problems.

We have also heard of proposals that Federal-aid highway projects in urban areas be subject to approval by the Administrator of the Housing and Home Finance Agency. We are definitely opposed to such an arrangement. We believe that a single Federal agency should have the contact with the States and that divided authority would only provide controversy and serious delays in completing the highway program.

We believe that if the interests of any other Federal agency are involved in the program, then those problems should be handled by interagency liaison at the Federal level.

Our position is the same on H.R. 10453, which would provide for the approval of Federal-aid highway projects by the Secretary of the Interior.

It was not possible for the American Association of State Highway Officials to appear at the recent hearings on H.R. 10113 and H.R. 10318 and related bills to establish standby authority for a Federal emergency public works program. We would, however, at this time like to make a brief comment with regard to our attitude on such a program.

We would oppose such standby authority having the right to take Federal-aid highway funds, that have been officially apportioned to a State highway department, but yet unobligated, for the purpose of financing an emergency program.

The States do their advance planning of construction and their own fiscal needs on the basis of their apportioned Federal-aid funds.

Mr. SCHERER. May I interrupt, Mr. Womack, and say that one of the representatives of the administration—I can't recall which one—was asked a specific question as to whether this standby bill would permit the President to take money from the highway trust fund and divert it to use in this emergency program, and the representative of the Federal Government said that the legislation would not permit this to be done.

I have some question in my mind that somebody else might not interpret the present bill to mean that trust funds could be applied to this emergency standby program. Of course, I would be opposed to it. I am opposed to the whole bill.

Mr. FALLON. I think I was the one who asked that question.

Mr. SCHERER. Yes; you were. You are always protecting the trust fund.

Mr. FALLON. Go ahead, Mr. Womack.

Mr. WOMACK. Many of them, by necessity, have to take advantage of the grace period allowed on apportioned Federal-aid funds in planning their programs and in providing matching funds. To take such moneys and divert them to other uses could be catastrophic for the highway program in a State.

The highway needs are such that continuous and uninterrupted construction is essential to keep from losing ground at too great a pace. The A-B-C program is an essential one that cannot be subject to being turned on and off to match some economic index.

We also oppose such a program taking Federal highway trust fund balances for other purposes than financing the highway program and jeopardizing the simultaneous completion of the Interstate System in all States.

We wish, however, to bring to your attention the tremendous backlog of needed betterments on existing highways that can easily fit into such an emergency public works program, and these are the types of projects that can be initiated quickly and are generally not eligible for Federal-aid construction. They could be moved to contract as quickly as is consistent with good practice in competitive bidding and can be completed in a year if the year embraces the construction season.

We are speaking of the type of work that the State highway departments did in the 1958 Federal-aid D program. At that time, 12,000 miles of existing highways were widened or resurfaced and many narrow bridges were widened, making a major contribution to safe, comfortable, and economical travel on many of our critically deficient highways.

Generally, no additional right-of-way is required and the work can start circulating money in a community in a very short time. The State highway departments, as established agencies, can handle such a program, with no additional time needed for establishing new organizations for the purpose.

We believe that you, as the House committee charged with the responsibility of the Federal-aid highway program and its authorizations, would be interested in having a brief outline of the vast operation that is established and is essential for conducting a program containing so many varied and highly scientific fields as our big highway program.

It is necessary to have a desirable amount of uniformity of practice in the program, yet not to the degree that individual creative initiative is discouraged. Otherwise, there would be little or no progress toward developing improved techniques and cutting costs.

It is necessary to have an effective arrangement whereby there is constant communication between the highway specialists in the respective fields involved, so there is effective correlation of activities and dissemination of new developments.

It is essential that the combined skills, experience, and professional judgment of the various classes of specialists be utilized in the development of standards, specifications, and policies required to carry out the Nation's highway programs. This is accomplished through the AASHO procedures.

It also is desirable to maintain a strong relationship with the engineering educators and industry researchers.

It is through such operations that our professional people, most of whom are the products of our many accredited engineering colleges, are involved in very effective and continuous graduate level training at all times while carrying on their everyday duties. It has been this means whereby highway technology has been developed in our country to such a high degree and to where our professional people are considered the best in the world.

The operation, by necessity, must be complex for many specialized areas are involved, such as management techniques, personnel development, fiscal control, materials and testing, physical research, economic research, planning, aerial photography, electronic computer engineering applications, bridge structure design, traffic engineering, roadway design, geometric and structure design procedures, right-of-way acquisition, interactions between urban transportation and urban development, and many more.

Forty-seven have installed electronic computers and developed skilled operators. Twenty-three are now installing the second generation of newer and larger computers to increase engineering productivity even further.

Just as in any other highly skilled profession, many things in highways are not exact sciences and are sometimes subject to differing professional judgment, which, in itself, is a strong force in developing new and improved procedures.

Inasmuch as very few of you have had the opportunity to know of the operations behind the scenes to develop procedures, policies, and standards, and because most of you recognize that such operations would be essential, we not only believe that it is desirable to tell you of these activities but that it is absolutely necessary, for it is possible that you may come to the conclusion that there is a void in this phase of handling the program.

We are also aware of the fact that many of you have spent many hours hearing testimony on some of the blotches on and human failings in the highway program, which actually involves a relatively small number of the total State highway employees and projects in the highway program.

It is human to form opinions and to be influenced by the things to which you have been exposed. Many of you have been exposed mainly to the dark side, and it could be easy and human for you to sell the program and the highway departments short and to lean toward curing the problem by favoring more and more Federal control.

There have been some shortcomings in handling the program, and we have certain activities underway to correct them. Any corruption or dishonesty involved, however, should be dealt with promptly and vigorously.

Our irregularities mostly have been in those areas that were expanded most by the big increase in the program, such as project level personnel and right-of-way operations, with the proper amount of blame for these things being laid at the door of top administration.

We still claim, however, that acquiring highway right-of-way is different than right-of-way acquisition for other purposes, mainly because of the factors of severance, loss of uses, access, enhancement, the various natures of damage, and so forth. We are quick to point out that a vast amount of the top know-how in highway right-of-way

acquisition field is in the State highway departments and the Bureau of Public Roads. This talent, together with that in the American Right-of-Way Association, is working on corrective procedures and training programs to overcome the deficiencies found.

Don't discount the highway program. The public is getting good, serviceable, convenient, modern highways, that are saving lives and money and expanding our economy. The program is on schedule.

Any faulty construction involved is an exceedingly small part of the overall program, and it can usually be rendered serviceable and the builder can be properly penalized. We are working constantly to reduce undesirable work to a bare minimum and we are succeeding.

The success of the highway program to date has been due to the fact that it is a Federal-aid program to the States and not a Federal program, and it is one that has been effectively coordinated by the Bureau of Public Roads to protect the Federal interest.

We are quite concerned about the attitude in many quarters that the program is or should become a Federal program.

Even with the Federal contribution of 90 percent to the Interstate System, the States are still furnishing 40 percent of the construction money for the highway programs of this Nation, and financing the total cost of maintenance and operation. We are still very much partners in this venture.

We expected that a program so big and so important would be reviewed by a congressional committee, and we expected that a certain amount of shortcomings would be exposed, especially in the beginning years of the program. We are, however, genuinely concerned over some of the side effects of the investigations that are not in the public interest. We refer to some irresponsible publicity that is undermining the public confidence in the program and in the officials who administer it, as well as the tendency to impose more and more restrictions and controls over the program at the Federal level.

Admittedly, some step-up in Federal inspections has been indicated, but it is easy to go overboard and increase inspections and paperwork to the point of diminishing returns. The result is raising the costs of roads far out of proportion to the relatively minor and theoretical improvements that might be obtained.

Contractors have been complaining about this problem and it is now reflected in increased costs, for we have had a 4-percent increase in bid prices during the past year, after prices remaining relatively static for 5 years. Contractors point out increased inspections, with resulting slow-downs in the construction progress, together with our inspection and other personnel becoming hesitant to give prompt decisions, are the major factors involved.

This latter thing is a human reaction that has been caused by the adverse publicity and the personnel, involved in the decisionmaking process, wanting to be sure that they do not become involved in the investigative spotlight.

To correct the irregularities in the program that have been disclosed, AASHO developed, printed and distributed 30,000 copies of an "Informational Guide on Project Procedures," which is a guide whereby the individual State highway departments can make a comparative review of their respective administrative practices, their handling the program at the project level, and their procedures in the field of right-of-way acquisition.

There have been several meetings of the chief administrative officers of the several State highway departments for the purpose of discussing the weaknesses that have been exposed and the way and necessity of correcting them.

We also initiated several training programs that will be discussed later.

We are of the opinion that no additional Federal laws are necessary, for with the penalties now prescribed for improper actions or certifications, together with the authority of the Secretary of Commerce to cut a State off from the Federal-aid highway program, or to withhold funds from a project, or decline to reimburse a State for a project for cause, are entirely adequate to protect the Federal interest.

The matter of correcting situations at the State level is one that is the responsibility of the State and the people in it, and we are sure that they will take care of their own problems in the manner they deem best. The investigations could have a beneficial effect where salaries or employment conditions need improvement, or where certain reorganization or changes in State laws are indicated.

We also would like to mention that since the program has been stepped up and has become so important and involves so much money, there have been challenges from competitive transportation interests as well as from other agencies and groups wanting to get into the act that have added to our problems. However, we believe that these challenges are being handled satisfactorily. To explain the AASHO process we offer the following:

In 1914, the men who had the responsibility of administering the highway programs of the Nation decided an association free of commercialism and profit incentives should be organized, and the purpose of that organization, which became known as AASHO, is to foster the development, operation, and maintenance of a nationwide integrated system of highways to adequately serve the transportation needs of our country, and to develop and improve the methods of administration, design, construction, operation, and maintenance of highways; to study all problems connected with highway transport; to counsel with the Congress on highway legislation; to develop technical, administrative, and highway operational standards and policies, and to cooperate with other agencies in the consideration and solution of highway problems.

Membership in AASHO is by State highway department and Bureau of Public Roads. There are no individual or commercial memberships. Voting is by member department, with each one having one vote, with a two-thirds favorable vote required to adopt standards. Through our regular annual meetings and through our many committees, we have the means for utilizing the talents and contributions of all of the employees of the member departments.

We also have, in the AASHO, the vehicle by which there is a constant exchange of information and developments between our people. AASHO has a standing committee on administration, which is made up of the chief administrative officers. Under that are 11 subcommittees, as follows: administrative practices, highway finance, highway transport, legal affairs, right-of-way, uniform accounting, public information, factual surveys, electronics, radio, and urban transportation planning. In recent years, 40 States have organized urban units in the department to better handle the increasing urban highway problems.

We also have a standing committee on standards, which includes the engineering committees, such as the operating committee on planning and design policies, traffic, design, bridges and structures, materials, construction, maintenance and equipment, roadside development, research activities, and secondary roads. We also have special subcommittee such as standard nomenclature of highway terms and bridge clearances, and replacement in kind involving water resources projects.

We have several very important and active joint committees with such groups as American Road Builders' Association, the Associated General Contractors of America, the National Highway Users Conference, the American Municipal Association, American Right-of-Way Association, National Association of County Officials, and the Association of American Railroads. We have representatives on the National Committee on Uniform Traffic Control Devices and on the National Committee on Traffic Laws and Ordinances.

We have advisory committees to the Bureau of Public Roads on Right-of-Way, Utilization of Air Space, and on Emergency Planning-Operation Alert.

Our joint operations with the American Road Builders' Association provide an effective means of communications between materials and equipment producers and the technical highway people to where the talents of both are used to develop and appraise new materials and equipment.

We discuss contractual matters and construction specifications with the Associated General Contractors of America.

We cooperate with the National Highway Users Conference in improving highway management practices and in personnel development techniques.

We discuss with the American Municipal Association the many complex problems of highways and urban development.

Our joint operations with the American Right-of-Way Association deal with planning utility adjustments occasioned by highway improvements, to keep such costs and the public inconvenience at a minimum.

Our newly created joint committee with the National Association of County Officials will deal with the many mutual problems between the two levels of government in handling the highway program.

The National Committee on Traffic Laws and Ordinances is the one that develops the Model Ordinances and the Uniform Code, which constitute the basis of most of the rules of the road adopted by the municipal and State governments.

The National Committee on Uniform Traffic Control Devices is one that dates back to the origination of standard highway signing and marking in this country, and AASHO was one of the original members. This committee is the one that develops the Uniform Manual for signing and marking all public roads and streets with the exception of the Interstate System.

The Interstate Manual, in order to achieve the uniformity desired, and since no other level of government was involved, was developed by the States and the Bureau of Public Roads through the AASHO process.

Most of our committees also have many active subcommittees assigned to specialized problem areas within the committee's fold.

Practically all of our committees have a member for each State highway department. For instance, our committee on materials is made up of the chief materials engineer of each State highway department and the Bureau of Public Roads, and such committees each represent a thousand years of combined experience and background that is the best available. Each is a board of the top experts in the respective fields. There is a committee to serve every phase and discipline of the highway program, and through continuous correspondence their work is always active throughout the year.

All of our committees have two sessions at our annual meetings, and the following also have special meetings during the year: Planning and design policies, bridges and structures, materials, design, highway transport, roadside development, and electronics, in order to keep current on developments, study problems or to develop needed specifications, standards, etc.

In addition, there are four regional associations of State highway administrative and technical officials that meet each year to study mutual problems and appraise developments that are regional in nature.

In 1920, the State highway departments felt the need for the establishment of a forum for the exchange of research information and a clearinghouse for all branches of highway engineering, and, as a result, the National Academy of Sciences created the Highway Research Board. This agency administered our AASHO road test project. The Federal Highway Administrator and several State highway officials serve on the executive committee of the board. The board's annual meeting is attended by nearly 2,500 top highway and industrial researchers and top educators.

In 1947, after the need was expressed by highway officials, a correlation service was established by the board and subscribed to by all of the State highway departments in order to furnish a more efficient correlation and exchange of information on all highway research and new procedures.

Specialists of the board make periodic calls on the State highway departments to get firsthand information on problems, new methods, research underway, and to advise as to what is going on elsewhere. The service also consists of a continuous supply of reports and papers on highway research reports and studies and scientific information.

The correlation service of the board also conducted our highway laws study, wherein all of the highway and related laws at all levels of government, as well as all decisions and opinions, were compiled and made available to the States.

The Highway Research Board holds special conferences throughout the year on such subjects as highway economics, urban affairs, highway planning, fiscal management, night visibility, etc. The board is very important in that it is a part of the National Academy of Sciences and as such can utilize and draw on the talents of outstanding individuals in industry, from all levels of government, and from our institutions of higher learning. Its reputation and prestige are well known and it makes a most valuable contribution to highways.

We believe that you would be interested in some of the programs that AASHO has underway or in the formative stages. Our bridges and structures committee is constantly updating our bridge specifications, and every 4 years a new edition is published. The same is

true for the committee on materials. These committees maintain an active liaison with the other professional and scientific groups of allied interests.

Our construction committee is undertaking a complete review of all of the States construction specifications, to determine if there are any obsolete or nonuniform provisions in use that are not in the public interest, and to prepare a basic guide set of specifications, using the desired amount of uniformity, but leaving enough flexibility that the individual States may include such special provisions as are needed to cover their individual requirements, such as local materials, weather conditions, soils, and so forth. We do not want nationwide inflexible uniformity as a requirement.

We are developing an AASHO training program for construction, bridge, and materials inspectors. This program will set out the minimum requirements and training for assignment to such positions and the courses would be given by engineering colleges and universities, which would examine an applicant and determine if he were qualified for assignment, thereby eliminating some of the pitfalls of assigning patronage appointees and attempting complete training on the job.

Practically all of our professional employees are the product of our top engineering colleges, but the class of personnel involved in the AASHO training program will be subprofessional technicians, assigned to the project level. Due to the size of the program and the turnover in this level of personnel, the training program must develop trainees in large numbers and because of this it will have to be done close to home. Many of the States have very satisfactory training programs at the present time for inspectors and technicians. Some few do not.

AASHO is also developing a training program to teach the fundamentals of highway right-of-way acquisition and appraisal. Few colleges teach these subjects at the present time, and a certain amount of on-the-job training will be necessary for those finishing the training and instruction in fundamentals. We are cooperating with the American Right-of-Way Association in developing this program.

We are also in the formative stages of establishing a reference laboratory for highway materials, other than portland cement. Such a laboratory for portland cement only is currently operating in the Bureau of Standards. None is in existence for the other highway materials and we feel one is desirable for an improved quality control program.

The proposed reference laboratory would furnish a means for calibrating the States' testing equipment and also checking the performance of the technicians engaged in testing. This would involve one central laboratory, probably in Washington, D.C., to run samples submitted for checking, together with traveling equipment that could call on all of the State highway laboratories and make spot checks and calibrate equipment in use.

The States have formalized a joint continuing research program, whereby each will contribute an amount equal to one-twentieth of their 1½ percent planning research funds to a financing pool each year, with projects being selected through the AASHO process.

Suggested program items in the research program come from the State highway departments and are then screened and selected by balloting by the State highway departments.

The program is designed to research important and pressing problem areas that are of mutual interest to a majority of the States and are beyond the ability of a single State to undertake.

The program is to be administered by the Highway Research Board and monitored by the AASHO organization. Projects will be contracted to colleges, institutes, one or more State highway departments, etc., and only if the agency has demonstrated exceptional interest and competence in the particular research area.

The six program items agreed upon to constitute the first program include:

- (1) Satellite tests, as followups of the AASHO road test to correlate findings with local conditions and to refine results;
- (2) Research to develop warrants and standards for highway lighting;
- (3) Research to increase traffic capacity and safety, including the use of electronic techniques;
- (4) Program to find ways on the beneficiation of aggregates, to improve borderline aggregates for satisfactory use, especially where aggregate sources are being exhausted;
- (5) Research to eliminate or decrease damage to bridge structures from deicing operations and to find the best methods for restoring structures so damaged; and
- (6) Determination and evaluation of user and nonuser benefits from highways.

Also, in the field of research, in 1960, all of the State highway departments had a total of \$5.3 million of such work underway in addition to the AASHO road test, \$2 million of which was handled by the State highway departments and with approximately \$3 million being handled by universities. All in all, the State highway departments had 260 research projects underway in institutions of higher learning in that year. The 1960 year is the latest for which the figures are available.

As to the 1½-percent funds used for research and planning, about 60 percent is used for data gathering, 26 percent for planning, and 14 percent for research. It should be borne in mind, however, that data collection is essential for the other two operations.

Another program of AASHO, at the present time, is to establish comprehensive transportation planning in towns and cities of 50,000 to 250,000 population in order that we will be assured that the planning and construction of highway facilities in urban areas give proper consideration to, and will fit into, other phases of urban development.

In this program we actively solicit the support and contribution of all of the interested officials and technicians at all levels of government involved, and insist that the planning will be urban areawide in its scope.

This program is in cooperation with the American Municipal Association and the National Association of County Officials, with the Housing Agency and the Bureau of Public Roads being requested to cooperate and assist.

Most of the urban areas in excess of one-quarter million population either now have underway or have planned an adequate transportation planning program at this time.

We desire, through this program to develop the planning process in our growing urban areas throughout the country and to develop improved techniques and procedures as we progress. We also plan to

develop specialists in urban transportation planning and economics by the chain reaction process as the program moves along. Most of the scientific methods of transportation planning that are now in existence were developed in the State highway departments.

Another operation of AASHO that is little known to the general public has to do with the very well known U.S. numbered highway system, which the State highway departments established in 1926 and which is administered by AASHO. The system is for the purpose of giving a uniform and continuous route number to those major routes available to serve the main streams of interstate traffic and join the major traffic generating areas of the Nation.

When this system was initiated in 1926, it totaled 96,626 miles. At the present time it totals some 180,000 miles. Changes in the system are made on the basis of applications submitted and supported by the member State highway departments.

Most of the people believe that the U.S. numbered system is a Federal highway system, whereas it is composed of highways under State jurisdiction, and the Federal contribution to the system, as it now exists, is probably in the neighborhood of not more than 15 percent of the total construction cost. Its distinctive route marker, just as the official interstate route marker, was designed through AASHO.

It is interesting to note that at the time the U.S. numbered system was established by the State highway departments for the convenience of the public in 1926, it was suggested that it be called the Interstate System; however, the U.S. numbered system terminology was favored and officially adopted.

One of the major activities of the AASHO organization is the development and issuance of the technical highway publications covering design procedures, standards, policies, specifications, tests, etc., that are needed to plan, design, build, and operate not only our own highway programs but are also used wherever highways are constructed throughout the world.

When a committee reports out a draft of a proposed publication it goes to the executive committee for review, where it may be referred back for further study or it may be authorized to be printed as a committee report, an informational guide, or as an official policy of the association. The latter requires a favorable ballot by two-thirds or more of the member departments and then generally is concurred in by the Secretary of Commerce and used to administer the Federal-aid highway program. This procedure is called the AASHO process and is the means whereby the Secretary of Commerce cooperates with the State highway departments in developing certain standards as required by law.

Attached is the list of current publications of AASHO. These publications are absolutely essential in the carrying out of a thing as complex and as important as the big highway program, yet they attract little attention and notice by those not actively engaged in building highways. We believe the AASHO procedure utilizes the best talent in the world for the purpose.

We realize that when a person is subjected almost continuously to the objectionable features of a program, it is very easy to assume that the entire program is saturated with corruption and incompetence. We doubt very much that enough evidence has been unearthed for anyone to come to that conclusion, and we hope that none of your committee has reached such a conclusion.

We do not, for one minute, condone the human failures or corruptions that have been exposed, and we regret it as much as anyone else, but we should all attempt to view the situation in its true perspective.

Top administration in the State highway departments must accept its blame for the irregularities disclosed and the hearings have performed a service in spotlighting these things. Certain constructive things, although embarrassing at times, can come out of the review, but we are greatly concerned at some of the byproducts that can and are damaging the program and increasing the cost. We hope all involved will do everything possible to keep the undesirable side effects at a minimum and help to spotlight the bright side of the program.

By the time that we again appear before your committee in regard to A-B-C authorization, we will be planning our 50th anniversary meeting, to be held in the fall of 1964, in Atlanta, Ga., the city where AASHO started in 1914. It is our hope that your committee will sponsor a congressional resolution commending our stewardship, as was done on the occasion of our 25th anniversary in 1939, when the Congress sent an official delegation to our meeting.

We also hope that we will have your support between now and then in obtaining the issuance of a commemorative postage stamp, honoring the service and achievement of the State highway departments and the Bureau of Public Roads, working through AASHO, in building the world's best highway network. We take pride in our record of accomplishment.

We thank you for the opportunity of appearing before you and presenting this statement.

In accordance with our understanding of the desires of the committee, I would like to read into the record two additional statements which are very brief. These have to do with other resolutions, that is, not the original prepared statement on H.R. 9725.

Mr. FALLON. You do have an additional statement, Mr. Womack?

Mr. WOMACK. Yes; we have one on the administration bill, H.R. 11199.

Mr. FALLON. Go right ahead, Mr. Womack.

Mr. WOMACK. Mr. Chairman and members of the committee, this supplemental statement refers to H.R. 11199.

We have contacted the chief administrative officers of the State highway departments with regard to their reactions and opinions on the matters contained in the bill, which was not covered in our policy discussions at our last annual meeting.

The following constitutes the consensus of the highway officials on the various proposals.

SECTION 2(1)

We favor the A-B-C authorizations for the 1964 and 1965 fiscal years as proposed in the Fallon bill, H.R. 9725. The States are unanimous in this support.

The development of the Interstate System is placing additional calls on A-B-C funds, such as necessary adjustments to the A-B-C network, connections to the interstate and increasing the capacity of certain A-B-C routes to accommodate the additional traffic created by the Interstate System.

As for the authorizations proposed in section 2, parts (2), (3), (4), (5), (6), (7), and (8), these are satisfactory, provided that they are not financed from the trust fund.

As for section 3: Assistance to Displaced Families and Businesses, we advise against the passage of such a provision at this time, and we believe that it is a matter that should be left to the Special Select Subcommittee on Real Property Acquisition, that is a part of your House Public Works Committee, and which is studying this problem along with related ones. The subcommittee should have an opportunity to report on its assignment.

Practically all of the States reported that this matter is not a problem at all and displaced people have not been left homeless, nor seriously inconvenienced because of the highway program.

We also point out that the proposal for making certain payments would also involve State funds, inasmuch as the States still furnish approximately half of the money that goes into the Federal-aid highway construction program, and if the proposal in this bill were enacted into law it would undoubtedly extend into projects financed wholly with State funds in addition to Federal-aid projects, involving the State funds even further and probably for some time to come.

There are many questions that we think must be answered also, such as, Who would determine what is adequate, safe, sanitary, convenient housing within the means of the individual, and as we understand the provision, the State highway department would have to make a showing that this housing was available before we could even go ahead with acquiring right-of-way to build any Federal-aid project, whether it be the interstate, primary, secondary, or whether it be in an urban or totally rural area.

Mr. SCHERER. May I interrupt? Do you or do you not feel that the enactment of this particular section which you are discussing in the Buckley or administration bill, would delay the highway construction program?

Mr. WOMACK. We think it would. Yes.

Mr. SCHERER. That is almost axiomatic from reading the section, is it not, that it would delay it?

Mr. WOMACK. That is the way we feel. Yes.

Mr. SCHERER. You understand, of course Mr. Womack, that the payments for removal costs would come out of the trust fund under this section of the bill. That would mean we would build less miles of highways, would it not?

Mr. WOMACK. That is correct. We believe that it would be the means of introducing controversy, delay, and political pressures into the program to the point that it could effectively stop the highway program in certain areas.

We believe that building a highway system is somewhat different than building an urban renewal project, for in an urban renewal project, it is entirely localized and an exact completion date may not be too important, but you cannot plan the financing and construction of the projects making up a connected and functional highway system in that manner.

We are of the opinion that an adequate leadtime in planning and acquiring right-of-way is the answer, and allows people and businesses time for an orderly relocation without all the added costs and complications. Current legislation provides for a 7-year leadtime for right-of-way acquisition, and arrangements have been perfected whereby Federal-aid financing is coordinated with that time period, making this action possible without additional legislation necessary.

In the wording of this section, the Secretary of Commerce is given no choice in his findings, but, as a condition precedent to his approval, he shall require the State highway department to assure that there is a feasible method of temporary relocation of families, or certify that permanent housing is available meeting certain conditions set forth.

Mr. FALLON. I asked a witness this morning with regard to this temporary housing, if that meant you would have to put them up in a hotel, or an apartment house, or something temporary, at the expense of the Federal highway program. Is that your understanding of what "temporary" means?

Mr. WOMACK. That is what we understood.

Mr. FALLON. It could mean that?

Mr. WOMACK. It could mean that.

Mr. SCHERER. Also it could mean according to the definition of the type of housing that is to be given these people who are moved from rights-of-way under section 133—it could mean they would be provided with better facilities than the ones they had at the time they were removed.

Mr. WOMACK. That would be one of the problems in trying to determine just what would be a comparable place to relocate them.

Mr. SCHERER. It says here in the bill that it is to insure that there will be provided decent, safe, sanitary dwellings adequate in number to accommodate such displaced families, and reasonably accessible to places of employment. Obviously, it would mean in some instances that the State was required to pay out of trust funds the money for a type of housing that would exceed the standards of housing in which the persons were living at the time they were asked to vacate the right-of-way. It could conceivably mean that, could it not?

Mr. WOMACK. I should think that would be a possibility.

Mr. SCHERER. I just mention that to point out some of the problems we will run into if this section should be enacted.

Mr. WOMACK. Such a set requirement could afford the means of stopping essential highway improvements through all kinds of legal challenges.

There may be some equity in helping defray the moving costs imposed on people, but the certifications required in this bill as to available housing are opposed by the highway departments. Also, we would like to call to your attention that there is actually no limitations placed on payments for moving businesses.

Mr. SCHERER. May I interrupt again just for the record? All of the States have laws that set forth in detail the compensation that shall be received by an owner, either a fee owner, or a leasehold owner, for property that is taken by the State; do they not?

Mr. WOMACK. They do.

Mr. SCHERER. Might this not interfere in the trial of cases? Might not these provisions interfere in the trial of cases involving the taking of property?

Mr. WOMACK. Yes. I think it would have—in some States there would be constitutional conflicts. I know in ours there would be.

Mr. FALLON. But you State highway officials are not opposed to these people receiving adequate and fair compensation for the removal of these people, are you?

Mr. WOMACK. You mean to pay them actual—

Mr. DAVIS. You mean transportation from one place to another?

Mr. FALLON. No; I am talking about these people being hurt by the condemnation of their property for the purpose of building the highways. The State officials do not want to go on record as saying that they do not want to do the right and fair thing by these people.

Mr. WOMACK. I think our statement would be to the effect that we do want to be fair with the people with whom we have to deal.

Mr. FALLON. And you understand it is your responsibility to see that they get fair treatment?

Mr. WOMACK. And we think the way to do that is to give a long leadtime so that they do not have to move out overnight. Give them plenty of time to relocate.

Mr. FALLON. But you also want to see that the adequate and fair thing is done about it.

Mr. WOMACK. We want to be sure they get an adequate price for their property.

Mr. BALDWIN. Will the gentleman yield?

Mr. FALLON. Mr. Baldwin.

Mr. BALDWIN. Isn't the point you are making about this long leadtime that under the Interstate System legislation which authorizes the States to set up a fund in advance for the acquisition of rights-of-way, that if each State does set up such a fund and, therefore, takes steps to acquire the right-of-way with sufficient clearance before the actual construction contract is let, then that will give these people the right to get payment for their property sufficiently in advance so that they can go out and find a suitable place to live and, if necessary, rent a house that has been condemned for a period of time pending the actual condemnation and removal of whatever house they have been paid for by the State highway department.

Mr. WOMACK. That is actually the case. To what extent the States do that I do not know. As far as we are concerned, we do not move people right out the minute we acquire the property. We allow them to stay in there on a reasonable rental basis until such time as we need the property, which gives them all kinds of time, and which is just as good as to move them to some other temporary location.

Mr. FALLON. Will you go on to section 6, then?

Mr. WOMACK. As to section 6, the State highway departments agree with this proposal.

As to section 7, we have explained in our statement, given with regard to H.R. 9725, the urban transportation planning action program that we are undertaking together with the American Municipal Association, the National Association of County Officials, the Bureau of Public Roads, and the Housing and Home Finance Agency.

In this program we are trying out cooperative planning on an urban areawide basis, and are concentrating on cities under one-quarter million population. It is our opinion that in cities of this size that the State highway departments will have to assume considerable leadership over the operations in setting up the planning program and in seeing that the planning process is continued and kept current, because a great many of such cities do not have the necessary technical staff to take a leading role.

Before such planning is made mandatory, we would suggest that we give our presently launched program time enough for tryout to determine if the cooperative approach with all of the agencies and levels of the Government involved give satisfactory results, and not result in a controversial impasse.

It is the intention of the highway officials to make this program work.

We have not mentioned cities over one-quarter million population in size, since planning is active in most of these areas at present.

The wording in the bill leaves the decision as to whether a highway project properly fits into a comprehensive and balanced transportation plan to the Secretary of Commerce, but in communities where a considerable difference of opinion exists as to what constitutes a balanced transportation system, or where there is pressure to make additional expenditures on a highway project to enhance certain other community developments, longtime delays could be inevitable, for agreeing upon a plan would be almost impossible.

In our policy statement on transportation that was filed as part of our testimony on H.R. 9725, it is brought out that highway transportation is the only mode of transportation that will be involved in a transportation plan in the majority of our cities, and we predict that if transportation planning is made a prerequisite for approving a Federal-aid highway project in an urban area, it will stop the highway program in our larger metropolitan areas.

In conclusion, reference is made to section 8, which would increase the highway planning and research funds on the A-B-C authorizations from 1½ to 2 percent. We have already covered this matter in our statement on H.R. 9725. The States are opposed to the increase at this time, because of the great backlog of needs on the A-B-C systems and since we have a program underway to channel presently allotted planning and research funds into extremely productive uses.

The increase in percentage withheld from A-B-C authorizations would have to be matched, except in very special cases, and must be used for research exclusively. The State highway departments oppose this proposal. It will divert \$5 million annually from needed A-B-C roads, which means many miles of highway. Currently the 1½-percent funds which were stepped up drastically in 1956, by increasing the Federal-aid program, amounts to \$50 million, which is expended for research and planning. We believe this is adequate.

Then I have another supplemental statement on H.R. 10909, which has to do with the establishment of a National Academy.

Mr. Chairman and members of the committee, after the introduction of H.R. 10909, and related bills, for the establishment of a National Highway Academy, we got in touch with the chief administrative officers of all the State highway departments for an expression of their position on this proposal.

All of the States say that the bill is so general in nature that they are not certain as to how the Academy would be operated or to what class of highway personnel its training would be directed.

All of the State highway departments, however, favor any feasible or justifiable plan that will serve to improve the efficiency and capabilities of their employees, but most express certain reservations as to the need for the proposed National Academy and many are concerned over the apparent trend toward nationalization of the Federal-aid highway program.

If the training is to be directed toward the large number of sub-professional people, technicians, and inspection personnel, then an Academy in Washington would probably not be feasible.

If the Academy is to train professional and top management people, then there is a limit to how long such personnel can be spared from

their duties, and there is always a possibility that after completing such programs, at State expense, the trainee is attracted to other employment.

At the present time, the American Association of State Highway Officials is developing a training program for construction, bridge, and materials inspectors and right-of-way negotiators and appraisers, where the minimum qualifications would be spelled out along with the recommended training program, to train the large number of people involved in these operations and to take care of the large turnover that is experienced.

The States would carry out this AASHO-developed and recommended program locally.

A great many of the States have an extensive personnel development program at the present time and have to meet certain qualifications as set up by their respective civil service boards before people are assigned to highway positions. It is not certain as to whether or not the proposed Academy is to replace or to supplement the training that is being developed and is underway.

The professional staff people of the highway departments are practically all graduates of our accredited engineering schools, and they are constantly in touch with new procedures and developments in the respective fields and actively participate in the advance of highway technology. The need for training in this category does not seem to be a problem.

It is recommended that legislation, as proposed in H.R. 10909, be delayed until further study can be made by the Secretary of Commerce and the American Association of State Highway Officials as to the need for establishing a National Academy, and that their recommendations be submitted to the Chairman of the House Public Works Committee on or before January 1, 1963.

Mr. Chairman and gentlemen, those are the prepared statements in connection with these bills.

Mr. FALLON. Mr. Womack, I want to congratulate you and your organization which you are representing for not only a good statement, but a very sound one. Mr. Womack, you did not say anything in your statement with regard to this new item that is in the administration bill for public land development roads and trails in the amount of \$2 million in 1964 and \$4 million in 1965. Do you have any comments on this? The title is for public land development roads and trails.

Mr. WOMACK. Of course, that is not under our jurisdiction, and as long as it is not financed out of the trust fund—

Mr. FALLON. I guess we will have to wait for the Interior Department to testify on that. They will be back here after the Easter recess. Are there any questions? Mr. Wright.

Mr. WRIGHT. Mr. Womack, you expressed general approval of the basic idea behind a National Highway Academy insofar as it would contribute to better training, but you expressed certain reservations. I am not at all sure that the authors of that bill, principally Mr. Edmondson, had a specific idea in mind as to exactly what the curriculum of such an Academy would contain, or exactly what kind of highway personnel the States would find it of value to send. I believe it is contemplated that we would seek advice from people like yourself in those matters.

You are familiar, I expect, with the schools and courses and seminars conducted in the law enforcement field by the Federal Bureau of Investigation. Are you familiar with that program?

Mr. WOMACK. I heard of it. I am not too familiar with it but I know there is such a thing.

Mr. WRIGHT. It has made of law enforcement in many States and communities a much more professional thing. I think what Mr. Edmondson basically has in mind is something in the highway field which might help to raise the professional standards. I have not seen or heard of any trend toward a nationalization of the police work of the Nation as a result of the FBI schools or courses. Have you heard of anything along that line occurring?

Mr. WOMACK. No, I have not.

Mr. WRIGHT. Do you know of any reason for apprehension that such may have resulted?

Mr. WOMACK. I think the only thing that the Legislative Committee had in mind on that was that it would put the training of the top people at a national level, whereas I think they feel it could just as well be done at the local level.

Mr. WRIGHT. Of course, training is best done at as local a level as possible, but if we had decided that the training, for instance, of military officers could best be done at a local level by the respective States, I think we would not have nearly so professional a group as has resulted from the academies.

Mr. WOMACK. Of course, the military is a national organization.

Mr. WRIGHT. It is, and so is the Federal Bureau of Investigation, and so is the Bureau of Public Roads. I think one of the things that may have been in the mind of the gentleman from Oklahoma, who is the prime author of this bill, is the fact that we discovered at certain of the hearings of the special Highway Investigating Committee, rather glaring evidence of inadequate preparation and training on the part of certain people such as fee appraisers and others, whose job it was to conduct appraisals of properties. It was somewhat appalling I believe to some of the members of that committee that in at least one State people had been engaged to conduct this work who had no professional background, knowledge, or any real training so as to teach them what the work really consisted of. It occurred to some of us that this might provide a means of permitting the States to send people to 1 academy, rather than having 50 different academies.

I think in developing the curriculum of such a thing, if it were to come into being, we would certainly want the active cooperation and suggestions and leadership of people like yourself, as to what it should consist of and what it should contain. If there were, let us say, 4 people in a given State in a given category, it would be rather expensive to conduct a school for 4 people, whereas, if there were 4 people in 50 different States it could quite well justify having a school with intensive training for 200 people.

Mr. WOMACK. Do you know whether that was intended to be a mandatory training course, or could they decide the people who were trained and would not have to be?

Mr. WRIGHT. Certainly it would not be mandatory. No more than it is mandatory in any State for law-enforcement officers to attend the FBI Academy. It is a service provided for them, whereby the States are permitted to send so many people in various categories for this training.

Mr. WOMACK. I think there is certainly agreement on the fact that we should have training programs and we do have a need for training programs. We are underway right now in our association, with the Bureau of Public Roads in setting up training courses to be sent to the States for that very purpose.

Mr. WRIGHT. I think that is a very fine step in the right direction.

Mr. WOMACK. Yes.

Mr. WRIGHT. Thank you, Mr. Chairman.

Mr. FALLON. Mr. Scherer. Mr. Baldwin.

Mr. BALDWIN. Mr. Womack, I have one question. You made a point with regard to section 8 which dealt with additional research funds, that you felt this increase from 1½ to 2 percent was probably unnecessary. As I understand it, if any one of the States in a research program that they carry out in the field of highways find that they have developed some improved technique, that information is automatically available to all of the other State divisions of highways. Is that a correct statement?

Mr. WOMACK. That is true, and even more so now than it has been because we have just recently set up a process whereby that does come about.

Mr. BALDWIN. So, therefore, the provision of section 8 which would in effect provide that all 50 States be encouraged to increase their research funds, would not necessarily be the best use of the money, because if 1 State makes a step forward it makes that available to all of the 50 States and, therefore, there is no particular reason why all 50 should necessarily be doing the same research and spending all that money for that purpose. Isn't that basically the issue here?

Mr. WOMACK. That is right. Would it be all right for Mr. Johnson to make a statement? He is very close to this research problem.

Mr. FALLON. If he does, it will be the first time we have ever had a hearing here that he hasn't. We would be very disappointed if he left this room today without saying something to this committee. Mr. Johnson, you go right ahead.

Mr. JOHNSON. Thank you, Mr. Chairman. In the President's statement it is pointed out the States now have gotten together into a pool for a continuous research program fund whereby all 50 States contribute a certain amount of research funds to a pool. The program will be administered by the Research Bureau of the National Academy of Sciences; the same agency that administers the test roads. In that way we will take on research problems that are beyond the ability of a single State, and those that are mutual problems of several States. That is one way we expect to increase the productivity of our research.

We have many vehicles whereby we disseminate the information gained from research by any State, whether they do it themselves, or in a university, or anywhere else. We have a correlation service of the Highway Research Board which we and the Bureau of Public Roads contribute the main support to. They make periodic visits to the highway departments and also send out reports on these things. We have several ways for every State to know exactly what everybody else is doing.

Mr. BALDWIN. Thank you very much. I raise this point because I would hate to see the day when we get so many beautiful side ideas that by the time we divert the funds to the sides we do not have

enough funds to build the roads, and it seems to me that the bill has a few provisions that may be a first step in the direction of those side diversions.

Mr. FALLON. Mr. Johnson, is it not one of the main functions of your organization to see that research is carried out in order to build a better highway system, as cheaply as possible?

Mr. JOHNSON. That is right, Mr. Chairman. We have a research activities committee made up of the chairmen of our committees, and they perform that function each year. Yes.

Mr. SCHERER. How much money is available in that pool you are talking about?

Mr. JOHNSON. That will be about \$2½ million a year; and to give you some more figures about the research underway, the States are doing about \$5½ million of research now and are doing a little over \$2 million with their own forces and about \$3 million is being done through the universities. So we have a sizable research program going on now.

Mr. FALLON. In addition to that, Mr. Johnson, do not the people, like the manufacturers of equipment, and the people who specialize in oil, and many other things, have their own research programs for the benefit of their own products?

Mr. JOHNSON. Very definitely. They have a development and research program going on continuously; and as a result of that we are actually getting dirt moved as cheaply now as we did 30 years ago.

Mr. FALLON. I understand that the Ritchie Highway that runs from Baltimore to Annapolis was built back in the thirties or before, and it cost more to move dirt for that highway over 30 years ago than it does to move dirt today.

Mr. JOHNSON. That is right. And the amount of dirt you move is the difference in the class of a highway. The more dirt you move the better your highway, and it is up to us to keep it as cheap as possible.

Mr. FALLON. So your association believes that that one-half of 1 percent is not necessary?

Mr. JOHNSON. We have gone to the States and tabulated their returns of their comments on this, and that is their feeling. We are now making the proper use of the 1½-percent funds, and at present it is adequate.

Mr. SCHERER. Do your research programs include studies of coordination of highway routes with mass-transportation facilities also?

Mr. JOHNSON. One of the programs that our President summarized is a study we are starting now—a continuing planning study, in all of the cities from 50,000 to 250,000—to where we will work on coordinating all forms of transportation, and working out the problems of highway development with all forms of urban development. In that it is our opinion that highways and other forms of transportation should never be competitive. If they are needed they should be planned together. We do not want controversy over one holding the other up.

Mr. FALLON. That would be a difficulty you would run into.

Mr. JOHNSON. That is right. And we figure some of our next research projects will be probably getting into what should be the warrants for the other forms of transportation.

Mr. SCHERER. Into what?

Mr. JOHNSON. What should be the warrants for that. When should they be included? In the biggest part of our cities, at least under a

quarter of a million, your automobiles and your buses and highway facilities will afford the only means of transportation you will have involved.

Mr. SCHERER. Mass transportation problems are usually confined to the big cities.

Mr. JOHNSON. That is right; but a bus itself can be mass transit, and can be rapid transit if your highway facilities are adequate. We think there are only a very few cities in the country big enough that we have to go to the other forms of transportation, and when they are included then they should be planned with the highway program, and not in competition.

Mr. SCHERER. These mass-transportation systems vary greatly do they not, with different cities in different States?

Mr. JOHNSON. Every one would have to be different.

Mr. SCHERER. In fact, it requires separate engineering studies insofar as different cities are concerned—isn't that right—because the problems vary to such an extent?

Mr. JOHNSON. Your fixed-line transportation is indicated where you are dealing with very high density land-use area, and then you are transporting people and not goods, which is beginning to be more important as your cities get larger in size.

Mr. FALLON. Are there any other questions? Is there any volunteering of information on the part of the AASHO?

Mr. DAVIS. I do not see how anybody can add to this fine presentation. With all due deference to the rest of the witnesses, I would like to be excused, because Mr. Womack and Mr. Johnson have really covered this subject thoroughly.

Mr. FALLON. And recommended that you continue on with your studies.

Mr. DAVIS. Oh, yes. I am in accord with Mr. Womack. Our committee is just in the midst of the very studies to which you refer, and if we add a piecemeal section here, I think it would be disastrous really. Give us a chance to finish, because we will come up with a good report, and a bipartisan one, with no politics in it. But we are definitely interested in coming up with a formula as nearly representing the entities in connection with the proper acquisition of land by all agencies, whether they receive direct Federal funds, or are assisted by Federal funds.

Mr. SCHERER. Your studies will include land acquisition for highways, reclamation projects, and anything subject to the public domain.

Mr. DAVIS. Anything subject to the acquisition of land.

Mr. FALLON. Will your studies also come up with some recommendation in regard to tenant removal?

Mr. DAVIS. Yes. Only as we relate the problem to all of the departments now dealing with the subject, because some have one formula while another department has a different formula. We are going to try to come up as nearly as possible and make a recommendation as to what we think should be a uniform approach. I think that is going to be a very interesting study. I really do. It is a long study and it takes a competent staff. The staff is at work and the committee is right behind them, but we will be giving you an interim report before very long.

Mr. SCHERER. Mr. Johnson, are you in a position to say whether or not your association feels that section 7 of the Buckley bill, H.R. 11199, is necessary in view of what has been said here today—transportation planning in metropolitan areas?

Mr. JOHNSON. I can run down this list briefly on what we got back from the highway departments of the States. Urban planning. We have about 14 or 15 that would be in favor of this if it were left voluntary and not made mandatory. The rest of them were against it at this time.

Mr. BALDWIN. That means at least 2 to 1 were against it?

Mr. JOHNSON. That is right.

Mr. SCHERER. And those who were for it said they would be for it only if it was voluntary?

Mr. JOHNSON. If it was voluntary at the present time. We would like very much to have this tried out as a voluntary thing to see whether or not we could get the cooperation of everybody involved—the cities, mass transit, urban renewal people, and so forth—and we think it is important that a plan involve that cooperative and area-wide approach. If we were to have a requirement in law, and find then we could not move in, of course, then we would have significant problems.

Mr. FALLON. Are there any other questions? Well, Mr. Womack, let me, on behalf of the committee, thank you again for your very comprehensive and sound statement.

Mr. WOMACK. Thank you.

Mr. FALLON. And Mr. Johnson, I thank you for your appearance here. We are always delighted to have you because you seem to be able to furnish the answers that sometimes otherwise would not be furnished. Thank you very much.

Mr. JOHNSON. Thank you.

Mr. WOMACK. Thank you, Mr. Chairman and members of the committee.

Mr. FALLON. The meeting will adjourn until tomorrow morning at 10 o'clock, at which time the first witness will be the American Road Builders Association, and second the AGC, that is, the Associated General Contractors, and then after them the State-county highway officials.

So the meeting will stand adjourned until 10 o'clock on tomorrow.

(Whereupon, at 3:15 p.m., the hearing was recessed until 10 a.m. the following day, Wednesday, April 18, 1962.)

FEDERAL HIGHWAY ACT OF 1962

WEDNESDAY, APRIL 18, 1962

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ROADS OF THE
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10:25 a.m., in room 1302, New House Office Building, Hon. George H. Fallon (chairman of the subcommittee) presiding.

Mr. FALLON. I do not know how to welcome so many distinguished guests here this morning. We have some more members who are on their way to the hearing. As you know, we just had a rollcall on the floor of the House. The House is now in session. The members told me it was all right for me to get started and that they would be over very shortly.

We are having a continuation of the hearings on the Federal-Aid Highway Act of 1962. The witnesses have been addressing themselves to three bills, H.R. 9725, H.R. 11199, and H.R. 9848.

Our first witness this morning will be General Prentiss.

General, on behalf of the committee I thank you for coming up this morning. We are always not only delighted to see you personally, but your testimony has always been very valuable to the committee. We appreciate all that you and your organization have done to enlighten this committee on the job that we are all trying to do to get the highway program underway and to keep it on schedule.

**STATEMENT OF MAJ. GEN. LOUIS W. PRENTISS, USA (RET.),
EXECUTIVE VICE PRESIDENT, AMERICAN ROAD BUILDERS'
ASSOCIATION; ACCOMPANIED BY BURTON F. MILLER, DEPUTY
EXECUTIVE VICE PRESIDENT; AND CHARLES D. CURTISS,
SPECIAL ASSISTANT TO THE EXECUTIVE VICE PRESIDENT**

General PRENTISS. Thank you, sir.

Mr. Chairman and members of the committee: My name is Louis W. Prentiss, and I am the executive vice president of the American Road Builders' Association, with headquarters in Washington. We are a national organization, organized in 1902, with membership representative of the entire highway industry and the highway engineering profession. Our approximately 7,000 members include highway contractors; manufacturers and distributors of highway construction equipment; materials producers and suppliers; faculty members and students of colleges and universities offering instruction in highway engineering; highway officials and engineers at all levels of government; engineers in private practice; and investment bankers.

Mr. Chairman, I would like to take this opportunity to express the

appreciation of the American Road Builders' Association to you and your committee for your outstanding efforts and many accomplishments in providing our Nation with its first adequate, integrated highway construction program.

Since 1902, American Road Builders' Association has devoted its efforts toward the advancement of improved methods and techniques in highway engineering, administration, and construction toward the efficient utilization of materials and equipment; and in other activities in support of a long-range, balanced and soundly financed highway program, adequate to meet the growing demands of traffic, to provide for the economic development of our country and to meet the requirements of the national defense.

We welcome this opportunity to present testimony in support of the bill introduced by Chairman Fallon, H.R. 9725, and to comment on the proposals of the administration as set forth in H.R. 11199.

The other bill before this committee, H.R. 9848, was introduced by the distinguished leader of the minority side of the committee—the Honorable Gordon H. Scherer. We are pleased to note that Congressman Scherer's bill closely follows the Fallon bill, with the exception of the sums authorized for the A-B-C program for the fiscal year 1965.

Although the bills before this committee have significant differences, we are encouraged by the fact that they are in substantial agreement in the matter of authorizing the apportionment of funds for the continuation of the A-B-C program for the fiscal years 1964 and 1965.

Whereas the three bills authorize the apportionment of \$950 million for the A-B-C program in fiscal year 1964, H.R. 9725 would authorize \$975 million for fiscal year 1965, \$25 million more than the sum proposed by H.R. 9848 and H.R. 11199. We believe that H.R. 9725 is to be preferred, in this respect, for three reasons:

- (1) The pressing needs for the improvement of the primary, secondary and urban Federal-aid systems should be met at the earliest possible time, consistent with sound planning and sound financing. We believe that the highway authorization proposed in H.R. 9725 can be apportioned without disturbing the capability of the highway trust fund, and that this extra money—relatively small though it may be—will aid materially in assisting the States to better balance their highway construction programs;

- (2) We believe that the statement of intent adopted by this committee in 1956, declaring that the A-B-C apportionment should be increased in annual increments of \$25 million, at least until such time as the \$1 billion level is reached, remains sound policy. It should be adhered to, if for no other reason than to assure the States and the general public that Congress intends to keep faith by proceeding with the balanced program of Federal aid as conceived in the 1956 Highway Act;

- (3) According to the Bureau of Public Roads approximately 12,000 miles of the Interstate System are completed. Already the induced traffic generated by the new expressways is placing heavy demand for the improvement of connecting A-B-C roads. As additional mileage of interstate roads is open to traffic, the demand for improvement of connecting routes will become more acute. It is therefore essential that the amounts provided in H.R. 9725 for the fiscal year 1965 be approved if we are to main-

tain a proper balance between the development of the Interstate System and the A-B-C systems.

The members of this committee are well aware of the present inadequacies in our A-B-C highways. These inadequacies have concerned this committee for many years and in spite of the committee's efforts much remains to be done.

We have many thousands of miles of roads with insufficient lane widths, improper vertical and horizontal alignment, narrow bridges, inadequate signing and marking, wornout and outmoded paving.

In the course of the 4-year highway cost allocation study conducted by the Bureau of Public Roads pursuant to section 210 of the 1956 Highway Act, the State highway departments were asked to provide estimates, using uniform criteria, of the improvement needs and corresponding costs on the Federal-aid primary and secondary systems in the several States, for the 15-year period July 1, 1956, to June 30, 1971. The grand total of needs was set at \$71.641 billion. Under present conditions, approximately \$31 billion will be provided by Federal-aid apportionments and State matching, leaving approximately \$40 billion worth of projects to be financed without Federal aid or left undone. With this tremendous requirement, I believe we are fully justified in recommending the A-B-C authorization contained in H.R. 9725.

We see no objection to the proposal contained in H.R. 11199 to amend the highway law to provide additional authority for the use of Federal-aid apportionments for extensions of the secondary systems in urban areas. The effect of the proposed amendment is to give the States greater flexibility in meeting today's problems.

When I appeared before this committee last year to discuss the 1961 act, I expressed our sympathy with the objectives of the President's proposal regarding the relocation of families displaced by Federal-aid highway construction.

In going forward with our national highway program, we are committed to the principle of accomplishing the greatest good for the greatest number. We recognize that some individuals must be inconvenienced in order that the great majority may benefit. At the same time, we must take care that no individual be forced to undergo great and unnecessary hardship.

The State highway departments have made good progress in perfecting procedures to assure that building tenants in the path of highway projects are relocated without undue hardship. However, as long as any hardship cases occur, we should not be satisfied.

The American Road Builders' Association is most pleased that the Public Works Committee has seen fit to establish a Select Subcommittee on Real Property Acquisition, chairmaned by Congressman Cliff Davis to study all of the problems encountered, not only in the acquisition of right-of-way for the highway program, but in all other Federal and federally aided land takings as well. It is only by means of such a comprehensive study that the problem of tenant relocation can be viewed in proper context.

We are opposed, in principle, to any proposal which would go beyond the purposes for which the highway trust fund was set up, and which would result in added expenditures from the trust fund, unless provision is made, at the same time, for a commensurate increase in highway trust fund revenues. While it may be that the cost of the

proposed relocation program to the Federal Government is sufficiently small that expenses can be met from the trust fund without undue damage to the highway program, we are, nevertheless, firmly opposed to the establishment of any precedent which might open the door to future proposals to add unanticipated costs to the burden already carried by the highway trust fund.

We therefore recommend that the President's proposal regarding the relocation of families be referred to the Select Subcommittee on Real Property Acquisition.

The administration's proposal on the subject of planning for metropolitan areas is questionable principally because it would have the effect of imposing a new set of Federal regulations in a field where no need for such Federal regulation has been shown.

The American Road Builders Association fully supports coordinated planning of highways and other transportation facilities in harmony with the comprehensive planning process in metropolitan areas.

The State highway departments and the Bureau of Public Roads have good reason to take pride in the great contributions they have made in recent years in the comprehensive transportation planning field. Voluntary cooperation is much to be preferred over a rigid mandate imposed by legislation.

On the other hand, it would be helpful for the Congress to enact permissive legislation to make it perfectly clear that the Bureau of Public Roads has authority to obligate Federal-aid highway funds for participation in cooperative and comprehensive transportation studies.

The matter of expanding the research and development activities of the highway departments, the highway industry, and the Bureau of Public Roads is one which deserves careful consideration.

With the Bureau of Public Roads and the Highway Research Board exerting leadership, the State highway departments have increased their emphasis in these fields. The recently completed AASHO road test can be termed a major breakthrough in cooperative research and the future appears bright for continued efforts toward the improvement of materials, equipment, and construction methods through applied research and development.

The research activities conducted by the industries in the highway materials and highway equipment fields add up to an imposing amount of constructive activity directed toward greater efficiency and economy in roadbuilding operations as well as quality control.

The American Road Builders' Association has long recognized the value of close coordination between the research and development conducted by industry and the activities of Federal and State highway officials in these fields, especially in assuring that Federal and State specifications be kept up to date so that the products of research can be utilized promptly.

American Road Builders' Association activities in this respect are concentrated in the AASHO-ARBA joint cooperative committee.

I think that in describing the work of this committee, I would do well to quote the Federal Highway Administrator:

The joint cooperative committee of the American Association of State Highway Officials and American Road Builders' Association composed of about 25 representatives of the two associations and of the Bureau of Public Roads, operates to develop and encourage adoption of solutions to troublesome problems of mutual concern confronting the highway departments and the various segments of industry. It has been highly successful in accomplishing its objective. In addition

to the main committee, a number of permanent and ad hoc subcommittees have been organized to consider certain problems or phases of activity. Each of these subcommittees has a Bureau of Public Roads engineer as chairman and several State and industry representatives as members. Special task forces have been or are being established to work on specific individual subjects. The presently organized subcommittees are as follows:

- (a) Structural supports for highway signs.
- (b) Standard short span bridges.
- (c) Mixing time for portland cement concrete and asphaltic concrete.
- (d) Compaction of earthwork.
- (e) Development, appraisal, and recommendation of new construction equipment.
- (f) Development, appraisal, and recommendation of new maintenance equipment.
- (g) Development, evaluation, and recommendation of new highway materials.

As a result of the research and experimentation work and of the activities of the numerous committees described above, great strides are constantly being made in exploring, developing, evaluating, and applying new and improved materials, equipment, processes and methods to produce high quality of construction at lower costs and in less time.

We do not recommend that extraneous amendments be appended to H.R. 9725, but I would like to mention briefly several legislative matters which were the subjects of resolutions adopted by the American Road Builders' Association at its 60th annual convention last month in San Francisco.

I may say our association was honored by having Congressman Fallon and Congressman Scherer present and addressing our meeting.

We recommend:

(1) Consideration by the Public Works Committee of legislative steps to halt the loss of money from the highway trust fund resulting from State and local taxation of the gross receipts of highway contractors, construction contracts, and sales and use taxes applied to highway materials and highway equipment. More than \$35 million per year is diverted from the highway trust fund to purposes other than the Federal-aid highway program by this practice, and the practice is continuing to grow.

Mr. SCHERER. May I interrupt, General?

I think both the chairman and I are sympathetic with this recommendation of the American Road Builders' Association. There are a number of other matters that deserve this committee's attention also with respect to modifications of the act, but I think it is the feeling that we would dispose of this authorization bill and then perhaps following that introduce some legislation which would take care of this particular provision and a number of other sound recommendations that have been made.

I for one do not want to open up, and I am fearful if we do introduce such legislation we will open up a Pandora's box of amendments, which might strangle the highway program, however, such as recommended in the Buckley bill, by providing money for removal of families and businesses.

Go ahead, sir.

General PRENTISS. I have three other recommendations which are not for incorporation in this bill because, as I said, we do not recommend that these extraneous amendments be appended to it, but I thought that—

Mr. SCHERER. You agree with my statement that we should consider those in a separate bill?

General PRENTISS. In separate legislation. Yes, sir. If it is agreeable to the committee, I will go ahead with these other three.

Mr. SCHERER. Yes. I just wanted to interrupt to say how we felt about that recommendation.

General PRENTISS. Yes, sir.

(2) Legislative action to restore the administrative regulation prohibiting the use of prison-made materials on Federal-aid highway projects. This regulation, which had been in effect for 25 years, was upset last fall by a ruling of the Comptroller General, and legislative relief is needed.

(3) Consideration by the Public Works Committee of a feasible means of reimbursing the States for toll roads and free roads not built with interstate funds but incorporated into the Interstate System, such reimbursement to come from the general fund of the Treasury.

(4) Legislative action to direct the Bureau of Public Roads to study the advisability of permitting the construction of a reasonable number of restaurants and service stations on the Interstate System right-of-way. As longer stretches of the Interstate System come into use, there are increasing complaints from motorists that they are inconvenienced by the necessity of leaving the interstate routes to find food, fuel, and service.

We are grateful indeed for the opportunity to appear before this committee and for the consideration which this committee has given in the past to the views of the American Road Builders' Association.

Thank you.

Mr. FALLON. Thank you very much, General. I must say that I agree with your statement almost in its entirety. You will recall my remarks at San Francisco. At the end of the meeting I touched on several of the recommendations which you make in your statement here this morning. We certainly think if we can keep this authorization bill as an authorization bill, then with reference to these other problems that need correction, we can go into them in a separate bill and take our time on it and we can do a better job on it. Mr. Scherer.

Mr. SCHERER. General, I notice you point out in your statement that the bill which I introduced provides only for \$950 million authorization for 1965, while the Fallon bill provides for a \$975 million authorization for that same year. As you will recall, the President and the administration recommended an expenditure of only \$950 million for 1965. I think you can understand that it would be almost impossible for a conservative Republican, who has been taking this administration to task for its excessive and unconscionable spending, to recommend an amount in excess of what the President recommends, even though it is in this program in which I am so much interested.

It is difficult for me to understand why the administration recommended only \$950 million for the year 1965 when in this same year this committee has before it a recommendation by the administration that we accelerate the public works expenditures if unemployment reaches certain levels—that we increase it by an expenditure of \$2 billion on public works programs—and also an amendment to that particular bill with the recommendation for the expenditure immediately of \$600 million on public works projects to relieve a current unemployment situation which the administration says exists in certain areas.

These two recommendations on the part of the administration must appear inconsistent to you, as they do to me. I am just at a loss to explain or understand it, because here we have a public works project in being. I just wanted to make that observation for the record here.

Mr. FALLON. If the gentleman will yield, you will recall 2 years ago the money or the fund for the Interstate System was very inadequate. The money just was not there. The Ways and Means Committee provided us with more money to put it back in balance. There was an amendment to accelerate the A-B-C program at that time and I opposed it because it would put the Interstate System further out of balance since there was not enough money even to continue the progress that was necessary to keep the program from slipping back. I wanted to keep both programs in balance.

Now that the Interstate System has been accelerated as far as money in the trust fund is concerned, I do believe it is incumbent on us to try to live up to the promises we made to many Members who do not have any Interstate System program in their districts.

In addition to that, without increasing the cost to any taxpayer, it will increase the amount of money expended on highways because of the 50-percent matching formula in the A-B-C program. It does exactly what the President is trying to do when he set aside the public works bill. It puts this money in every city and county in the country. They have more money spent on roads than if you do it on a 90-10 basis, and I am sure it still does not throw this fund out of balance.

Mr. SCHERER. I must say, Mr. Chairman, your reasoning is certainly sound. As I pointed out the inconsistency of the administration's position in this bill with reference to the other two legislative proposals—

Mr. FALLON. I am trying to correct that inconsistency.

Mr. SCHERER. It is more inconsistent because in the highway program we have the funds available in the trust fund, as you now pointed out, whereas in the case of the \$2 billion accelerated public works expenditure legislation and the \$600 million emergency expenditure recommended by the administration, it is obvious that that comes from the general fund, and there is no general fund today, so that is going to have to be borrowed.

Mr. FALLON. If the gentleman will yield, he joined me in making sure that the trust fund is not included in any way in the set-aside program.

Mr. SCHERER. At least we got an admission out of the administration when it was before us as a result of a very pertinent question you asked as to whether or not that legislation would enable the President to take money from the trust fund as he is permitted to take money from other funds and apply them to the emergency program. The answer of the administration was that it would not, but careful reading of the language of the legislation to my mind indicates that the administration might be able to reach into the trust fund to advance that program.

Mr. BALDWIN. Mr. Chairman.

Mr. FALLON. Mr. Baldwin.

Mr. BALDWIN. General Prentiss, I am not certain that I understand the first recommendation which you have made on page 10 of your testimony. You recommend that we give consideration to

legislation to halt the loss of money from the highway trust fund resulting from State and local taxation of gross receipts of highway contractors, construction contracts, and sales and use taxes applied to highway materials and highway equipment, and you state:

More than \$35 million per year is diverted from the highway trust fund to purposes other than the Federal-aid highway program by this practice * * *.

I am not sure I understand how you established the fact that \$35 million per year is taken out of the trust fund and diverted by this procedure.

General PRENTISS. Various States levy certain taxes against the contractor, and the contractor, in order to pay those taxes, has to increase the cost of his bid by the amount of those State taxes. In the case of an Interstate System contract 90 percent of what the contractor is paying to the State in the form of a gross receipts tax, or in the form of a sales tax on materials and equipment will come from the highway trust fund when the State is reimbursed by the amount of the contract. Of necessity the contractor must take into consideration these taxes that he must pay, when he prepares his bid.

Mr. FALLON. If the gentleman will yield.

Mr. BALDWIN. Go ahead.

Mr. FALLON. I state as a case in point that I had a letter from a contractor who wrote me and told me that in bidding on a job at this time he had to increase his bid \$30,000 due to the new State tax that was put on this contract.

Mr. BALDWIN. May I ask you a question? I am not sure. Do you feel we should take some steps to bar a sales and use tax on the highway materials? The constitutionality of State sales and use taxes has been pretty well established, and although I understand your point that maybe their costs are somewhat higher because of it, I do not quite understand how from a constitutional standpoint it would be proper for us to tell the States that they cannot levy sales and use taxes on highway materials when the States will be levying them on everything else.

Through what authority do we come in and say, "You cannot do this. You cannot levy them on this item but you can on every other kind of thing."

General PRENTISS. I think that authority already exists for granting exemptions from State taxes on certain Federal purchases. I am not positive of that.

Mr. SCHERER. May I interrupt?

Mr. FALLON. Yes.

Mr. SCHERER. General, aren't you chiefly objecting to the new laws which have been passed by some States which single out highway construction contracts and levy a tax on the gross amount of the contract?

General PRENTISS. That is right.

Mr. SCHERER. That is what you are particularly objecting to, is it not?

General PRENTISS. Right. And it ends up by having money appropriated by the Congress for the construction of highways which is turned over to the States in the form of a levy against the contractor, and then the State has that money to use for all other purposes.

Mr. BALDWIN. You could even say that about the property taxes that the contractor pays on the various items of equipment he owns, where he pays taxes on them to State, couldn't you? Are you advocating that we should pass a bill barring the State from levying any property taxes on the equipment a contractor has, even though I pay a tax on my automobile to the State?

General PRENTISS. No.

Mr. BALDWIN. Isn't the logic the same?

General PRENTISS. What we had in mind were these special taxes that are levied against a Federal-aid contract.

Mr. SCHERER. If I may interrupt again?

Mr. BALDWIN. Yes.

Mr. SCHERER. I think the gentleman from California, Mr. Baldwin, is correct, that it would be almost impossible for the Federal Government to pass legislation to eliminate regular State use taxes and sales taxes in connection with highway contracts, but I do think that some of this new legislation might be dealt with. How many States are there that have adopted this type of legislation? I think there are five States that have it specifically directed toward these contracts.

General PRENTISS. Yes.

Mr. SCHERER. What do you call it? A gross receipts tax?

General PRENTISS. A gross receipts tax.

Mr. SCHERER. Directed specifically toward these highway contracts. I think we could prevent that type of tax.

Mr. FALLON. I can see where the State legislatures do not get into much of a hassle over that because 90 percent of it is paid by the Federal Government, and it looks like an easy way to do it, because they feel in some State legislatures that the Federal Government has plenty of money, so it is an easy touch for them; and the public does not understand it, so there is no opposition to it coming from the public.

General PRENTISS. We felt, Mr. Chairman, that this was a matter that deserves consideration by the Government.

Mr. FALLON. It is a diversion of money that this Congress intended to use for the building of highways, and it is diverted into other programs in the State.

Mr. SCHERER. I think we can successfully attack the constitutionality of such a tax because it does not have uniform application. I am not thoroughly familiar with that type of tax, but as I understand it—and some men in the back row in the room there are shaking their heads—these are laws that have arisen since the 1956 act, and apply chiefly to these highway contracts. Is that right, General?

General PRENTISS. That is my understanding.

Mr. SCHERER. Those, I think, could be considered and might be held by the courts to be unconstitutional in view of the fact that they single out these particular contracts and do not have uniform application.

Mr. ROBISON. Mr. Chairman.

Mr. FALLON. Mr. Robison.

Mr. ROBISON. General, as the ranking minority member on the Davis Select Subcommittee on Real Property Acquisition, I am interested in and inclined to agree with your remarks relative to the relocation proposal. The Federal machinery we now have for the acquisition of real property for the various purposes in which the

Federal Government now has an interest—the list of which is growing every day—is at best a sort of patchwork quilt. The payment of relocation costs here and there is only one of the patches on that quilt. I would regret to see any action taken by this committee which would add another patch that would not have uniform application throughout the whole structure of the machinery which applies to the acquisition of real property for Federal or federally aided purposes.

There may well be merit, as you mention in your statement, in this proposal, and perhaps considerable merit. There is a bill, as you are aware, introduced by Senator Scott in the Senate, in which the two Senators from New York joined—Senators Keating and Javits——

Mr. SCHERER. That is no recommendation.

Mr. ROBISON. It is not quite the same proposal as this, but again a sort of piecemeal approach on the highway program only. I would be inclined to agree with the statement made by Mr. Fallon a moment ago that it would be best for the Davis subcommittee, as you suggest, to take a comprehensive look at this problem not only for the highway area but for all areas connected with real estate acquisition, and then to consider it in a separate proposal. I appreciate your suggestion along that line.

Secondly, as a New Yorker, I am also happy to find that—and it has been a little hard to find one lately—that I have an ally with respect to reimbursement for those miles of road that have been incorporated into the Interstate System. I continue to believe that an inequity exists here—an unintentional one, but an inequity nonetheless—and I am very grateful to find somebody else thinks so and believes that these States should be reimbursed for this incorporated mileage.

Mr. SCHERER. Will the gentleman yield? Mr. Robison and the general will agree that this reimbursement should come in mileage rather than in dollars.

Mr. ROBISON. Not personally. What does the general say on that?

Mr. SCHERER. He does not say. He is silent, but I gather from the organization he represents he would rather have that reimbursement in the form of highway mileage to the States rather than in cash.

Mr. ROBISON. If the gentleman will yield back to me I will ask the general for a comment. There are pros and cons in both areas. Miles, certainly in New York State, might cost a great deal more in dollars than mileage elsewhere. Then, too, the location of the New York State Thruway, which is our main point of contention here, for all I know was more costly than substitute mileage would be elsewhere throughout the State. Do you have any comment, General?

General PRENTISS. Our feeling is that a clear formula should be developed which would result in a reimbursement to the States for the difference between what they would have gotten under the 90-10 formula, and what they actually got under whatever system the road was built; and that that money should be appropriated from the general fund of the Treasury in view of the fact that at the time those roads were built all highway appropriations were coming from the general fund of the Treasury, and not from the highway trust fund; and in view of the fact that the highway trust fund does not have funds in it for such reimbursement.

However, we believe that where such funds are reimbursed to the States, that they should be reimbursed with a string on them, requiring that the States utilize those funds for additional highway construction rather than diverting those funds to some other purpose.

Mr. SCHERER. To reimburse the States my recollection is it would cost about \$4 billion, or a little over \$4 billion. In the foreseeable future I see no chance of getting out of the general fund an additional \$4 billion. Senator Byrd indicated we are going to have a deficit next year of \$10 billion and possibly it will run to \$12 billion. That is going to be all borrowed money.

Mr. FALLON. If the gentleman will yield, Maryland is taking a very different stand on it. They have sent the money back to the Federal Government for the Northeast Expressway and are going to build it under a toll, which just proves that this program is not moving fast enough for the needs in the States. So if you start reimbursing at this moment you are going to retard the program that much more and you will find more toll roads will be built because of the Federal Government not moving as fast as is necessary for the solution of traffic problems.

Mr. SCHERER. Ohio would get a good share if we had reimbursement, but I cannot see in the foreseeable future how you will get \$4 billion additional out of the general fund or trust fund.

Mr. ROBISON. My friend from Ohio knows I heartily concur with him—

Mr. SCHERER. I sympathize with you because Ohio is in the same position.

Mr. ROBISON. Let me say, Mr. Scherer, you know I heartily concur with you in the support of the concept of fiscal responsibility, but the thing that bothers me, as I have said before, is that if an inequitable situation exists here, are we to permit the cost of doing equity to blind us to that principle of doing equity? Is the cost of doing right such that we can never do it? It is a difficult question for me to answer in the affirmative.

Mr. SCHERER. I learned in law school that he who seeks equity must do equity, so your reasoning is right, except in this case it is impossible.

Mr. ROBISON. I yield the floor.

Mr. FALLON. Are there any other questions? If not, General, on behalf of the committee may I thank you for your very fine statement this morning.

General PRENTISS. Thank you for the opportunity to appear before you.

Mr. FALLON. We have as our next witness this morning Mr. M. Clare Miller of the Associated General Contractors, and he is accompanied by Mr. Walter F. Maxwell and Mr. W. Ray Rogers of Portland, Oreg., and Mr. Jim Sprouse.

I forgot to acknowledge when the American Road Builders were making their statement that Mr. Burton F. Miller, deputy executive vice president of that association, was here as well as somebody who is not strange to this committee and who has been here for many years, Capt. Charles D. Curtiss, special assistant to the executive vice president of that organization.

On behalf of the committee may I say to you gentlemen from the Associated General Contractors that we are very happy to have you

here this morning. We have some distinguished witnesses here today and may I say what I said to General Prentiss; namely, that your association and your officers and men have been a great help to this committee in providing the information necessary to have this program go forward.

STATEMENT OF M. CLARE MILLER, McPHERSON, KANS., ACCOMPANIED BY WALTER F. MAXWELL, FONTANA, CALIF., AND W. RAY ROGERS, PORTLAND, OREG., APPEARING ON BEHALF OF THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.

Mr. MILLER. Thank you very much, Mr. Chairman.

Mr. Chairman and members of the committee. I am Clare Miller, president of the San Ore Construction Co., McPherson, Kans. I have just completed a term as president of the Associated General Contractors of America, an organization composed of nearly 7,300 of the Nation's leading general contractors. Nearly half of these are highway contractors, and many others perform work related to highways. I appear before you as their representative.

I am accompanied here today by two distinguished highway contractor members of our association: Walter F. Maxwell, president of the W. F. Maxwell Co., Fontana, Calif., and W. R. Rogers, president of the Rogers Construction Co., Portland, Oreg.

Mr. Maxwell is chairman of the AGC Highway Contractors' Division, a member of our executive committee, a past president of our southern California chapter, and a longtime member of our joint committee with the American Association of State Highway Officials.

Mr. Rogers is serving his third year as cochairman of our joint committee with the American Association of State Highway Officials, is a past president of our Portland chapter, a past chairman of the highway division, and has served 4 years on our executive committee.

I have drawn heavily on the counsel and experience of these gentlemen in the preparation of this testimony.

AGC SUPPORTS H.R. 9725

Highway contractor members of the AGC, according to an analysis of Bureau of Public Roads figures, perform 70 percent of the Federal-aid construction on the primary system and Interstate System. This important part of the industry, and our association as a whole, firmly supports H.R. 9725, proposed by the chairman to continue construction of the ABC system on an orderly basis.

At our 43d annual convention, held this year in Los Angeles, the following resolution was adopted:

FEDERAL HIGHWAY FUNDS

The 43d Annual Convention of the Associated General Contractors of America, meeting in Los Angeles, Calif., February 26-March 1, 1962, urges the 87th Congress to enact H.R. 9725, introduced to provide funds necessary to permit the continued orderly expansion of the primary, secondary, and urban road system.

SIZE OF ABC PROGRAM

We note that H.R. 9725 provides \$950 million for fiscal 1964 and \$975 million for fiscal 1965, thus returning to the intent of Congress regarding incremental increases in the A-B-C program as indicated in the hearings on the Highway Act of 1956. A point of great merit in the A-B-C program is its orderly continuation from year to year, a point we have emphasized in each of our appearances before this committee. This feature—a sustained level of contract awards—has a direct bearing on the level of contract costs to be expected. It is impossible to conduct a highway construction program economically on a stop-and-go or peak-and-valley basis.

The responsible highway contractor of today must be able to plan ahead for the expected amount of construction work obtainable in order to conduct his business enterprise in an effective and efficient manner. We believe the bill we are discussing encourages and supports orderly planning.

HIGHWAY CONSTRUCTION IS LARGE EMPLOYER

The A-B-C program, like other highway construction, is a prime generator of employment. According to the Bureau of Public Roads, each billion dollars of Federal-aid highway construction provides onsite employment for approximately 48,000 men, with a weekly payroll of about \$4,650,000.

In addition to the onsite employment, there is at least as much and probably more offsite employment generated. The bill you are considering will provide, with State matching funds, \$3,850 million, or employment for 192,000 men earning a weekly payroll of about \$18,600,000.

DIVERSION OF HIGHWAY FUNDS

We also wish to restate at this time our long standing opposition to the use of money in the Highway trust fund for any purpose other than the construction of highways and administrative functions of the Bureau of Public Roads.

In this connection, our 43d annual convention adopted a pertinent resolution on a matter with which we are particularly concerned. It reads:

TAXATION OF HIGHWAY CONTRACTS AND MATERIALS

Whereas certain State and local taxes are estimated to cost the Highway trust fund \$50 million a year; and

Whereas this reduces by the same amount the funds available for the construction of highways, the purpose for which the trust fund was established: Now, therefore, be it

Resolved, That the 43d Annual Convention of the Associated General Contractors of America, meeting in Los Angeles, Calif., February 26-March 1, 1962, urges the 87th Congress to enact legislation prohibiting Federal-aid participation in taxes applied to gross receipts of highway contractors, and sales taxes applied to materials used in highway contracts.

Such taxation is, of course, borne largely by the trust fund, 50 percent on A-B-C construction and 90 percent on the interstate.

We urge this committee to give this matter serious consideration at the proper time, and to take any action possible to eliminate those discriminatory taxes.

EXTENSION OF DAVIS-BACON AND 8-HOUR LAW OPPOSED

We are opposed to any further extension of the Davis-Bacon prevailing wage law and the 8-hour overtime law to construction of the ABC and interstate highway programs. We feel that any further extension of the prevailing wage law to include fringe benefits, and application of the 8-hour principle to Federal-aid highway work is not only unjustified, but completely unrealistic.

Proposals to extend these laws are now pending before the Congress. The 8-hour extension proposal was voted on by the House on April 16 under "suspension of rules," and the Davis-Bacon extension bill is pending before the House Rules Committee. We understand the Senate Labor Committee is also studying the possibilities of acting on these measures. Such actions, in our opinion, would be wasteful and inflationary, and would have a disruptive effect on not only the Federal-aid program but on State and local programs as well. We strongly oppose any such moves.

We realize that these matters are not before this committee, but we hope you will give our views consideration.

ABC SYSTEM VITAL TO NATION

We do not desire to detract in any way from the importance of the Interstate System, but we believe that the primary and secondary roads are still the most important to the vast majority of our people in their daily lives. The farmer hauling his produce to market, the wage earner commuting to work, the housewife on her errands—to these and millions like them the A-B-C system is a necessary and vital part of their lives.

This committee has always demonstrated a keen understanding of these needs, and has taken constructive steps to meet them. We have every confidence that you will continue to uphold that record.

COMMENTS ON OVERALL PROGRAM

Mr. Chairman, we cannot, in all good conscience, appear before this committee, which initiated action on the expanded highway program, without respectfully bringing to your attention the detrimental effects—certainly unanticipated by the Congress—that recent events have had on the highway program and on the highway construction industry. First, however, we wish to assure you that we do not, and have never, questioned the right of the Congress to examine, in depth, the conduct of those carrying out the program which it authorized. Neither do we question the right of the General Accounting Office to determine that the funds authorized by Congress are properly used, or the right of the Bureau of Public Roads to exercise its proper function as the senior partner in the construction of the Federal-aid highway system. We believe these to be the clear-cut duties of those agencies of the Government. We are, however, deeply concerned over, and we suffer from, the reaction to those functions by those who supervise, inspect, and approve our work.

The Associated General Contractors agrees with and supports the exposure of any evidences of wrongdoing, even though they have in some instances been embarrassing to us. But we believe just as

firmly that a proper perspective is vital to the welfare and success of the entire program.

The public, for example, believes what it reads, despite the lack of factual support, and the impression left with the general public by some irresponsible reporting of the congressional investigations is that all State highway employees are corrupt, that all highway contractors are dishonest and that all highways are poorly built.

We would like to refute these gross, unfair exaggerations.

Mr. SCHERER. You said they believe all are. Would you say that half of the State highway officials should be in jail?

Mr. MILLER. No, sir.

A prominent Member of Congress recently said: "I have often stated that the overwhelming majority of highway officials and employees are competent, conscientious, hard working, and too often overworked and underpaid." Every highway contractor in the United States would agree with that statement. Unfortunately, however, this statement appeared in an engineering magazine of limited circulation, while a magazine of multimillion circulation says: "Half the country's State highway officials ought to be in jail." This is an unwarranted, unsupported indictment of one of the most loyal and dedicated groups of public servants in the country, and its author should prove the charge or apologize for it.

I have been closely associated with the highway officials of this country for more than 30 years. I am proud of that association, and I know, from personal knowledge, that such a charge is completely baseless.

I have exactly the same high regard for the ability, honesty, and integrity of the employees of the Bureau of Public Roads.

There are approximately 10,000 contractors in the United States qualified to bid Federal-aid highway work. Fifteen of these have appeared before the investigating committee. After thorough investigation, eight of these were barred from bidding on Federal or Federal-aid highway projects. This, we believe, is a good record for an industry of this size.

Speaking for the AGC, we do not condone any wrongdoing by our members or their employees. The principles of ethical conduct, as defined by the AGC code of ethical conduct, and their effect on the prestige and dignity of the industry, were discussed at length at our New Orleans board meeting last October, and the following statement was adopted there:

REAFFIRMATION OF PRINCIPLES OF ETHICAL CONDUCT

Many thousands of large and small construction contracts are carried out annually by members of the Associated General Contractors to the complete satisfaction of their clients, both private and public. However, in view of recent disclosures of improper practices by a few contracting companies, the board of directors of the AGC hereby restates the principles of ethical conduct for members of this association, as follows:

"The Associated General Contractors of America has never condoned improper practices or substandard performance, and wishes to reassure the public and all buyers of construction that the motto of the association, 'Skill, Integrity and Responsibility,' is to be followed in its strictest sense. Our code of ethics requires 'scrupulous avoidance of any action which might not prove compatible with the public interest.' Any conduct which does not meet these standards is indefensible.

"Any member will be asked to resign whose actions are proved to show a willful disregard for the public interest as embodied in the principles of AGC.

"Further, every member of the AGC, his agents, and employees must avoid any situation which might be construed as an act of improper influence of any person representing his client, either public or private."

On January 26, 1962, the Bureau of Public Roads suspended the contractors already mentioned. Some of those were AGC members. The principles of our New Orleans statement on ethics were then applied, and this association now has no members barred from bidding public works projects.

Of the more than 139,000 miles of new Federal-aid highways built since the enactment of the 1956 act, 405 miles have been the subject of congressional investigations; 9.6 miles of this is unacceptable to the Bureau of Public Roads. This, we submit, is also a good record.

In the same period of time Mr. Maxwell's organization built 96 major highway structures in California at a cost of \$19,900,000; Mr. Rogers' firm built more than \$42 million worth of highways and highway structures in Oregon, Washington, Idaho, and Alaska; and my company built more than \$40 million worth of highways and highway structures in the midwestern part of the United States.

There has never, to our knowledge, been any question concerning the quality of this work or the integrity and honesty of the firms or their employees. And this is the rule, not the exception. Neither are they isolated cases—the vast majority of highway contractors are just as dedicated to seeing that the public receives full value for its highway dollar as are you gentlemen.

CHARGES OF WASTE REFUTED

It has been stated in the press that: "The broad new highways are paved with waste." This is a serious charge, one on which we would also like to comment. The highway contracting industry is highly competitive, and this competition is itself the best protector of public funds. In the calendar year 1961, 38,466 separate bids were received for the 6,653 highway contracts awarded, an average of 5.8 bids per job. The 6,653 contracts were awarded to 3,750 different firms, at prices ranging from slightly less than 1 percent to 20.1 percent under the engineers' estimates for those jobs. This represents not a waste, but a savings to the taxpayer of \$298,856,014 in 1961 alone.

In the years 1957–61, the engineers' estimates for all Federal-aid highway work was \$16,643,583,555. This is what the States considered a fair and reasonable price for this work. In fact, however, the contractors built it for \$14,978,925,200, 10 percent below those estimates. This represents not a waste, but a savings of \$1,664,658,355.

It remains clear, therefore, that free and open competitive bidding is the most effective guardian of public works money.

Highway contractors are today performing common excavation for almost exactly the same unit prices as they did 40 years ago, although during that time wage rates, material prices, and equipment prices have risen tremendously. The answer then can lie only in improved methods and techniques of construction, and in the contractor's willingness to invest large amounts of capital in new equipment of high productivity. Thirty years ago, for example, a highway contractor could equip himself to do a million dollar job for \$200,000. That same spread today would cost more than \$2 million.

The average highway contractor is constantly seeking ways to improve his operations, to eliminate waste, and to place himself in a stronger competitive position. He must do this or he cannot survive.

This self-improvement is not a new or recent endeavor; the cooperative activities of the AGC and the American Association of State Highway Officials began in 1921, and have continued for 41 years. These activities have resulted in improved specifications, methods, equipment, materials, construction practices, and, most important, tangible savings to the public.

Another telling indication of the high level of competition is the fact that there were more failures in the contracting industry in 1961 than any year since 1934. If a construction contractor cannot remain competitive he very quickly becomes a business casualty.

HIGHWAY CONSTRUCTION COSTS INCREASING

But, regardless of how efficient or competitive the contractor may be, there are factors beyond his control which are increasing the cost of the highway program, and we consider it the obligation of our association to bring those to the attention of this committee.

We realize that it has never been the intent of the congressional investigations to frighten highway department employees or to preclude their exercising their vested authority. In fact, however, the unforeseen byproducts of the investigations have had just that effect. The inflammatory, derogatory, and slanted articles in certain newspapers and magazines and the ever-present fear of being summoned to appear before an investigating committee has instilled in many inspectors and project engineers a sense of caution amounting almost to a reluctance to make any decision which might conceivably be questioned in any way or to any degree. Such caution is, under the circumstances, perfectly natural, but progress of any kind, in any field of endeavor, involves risk. One of the risks inherent in any professional man's career is making decisions, and while they are often difficult, they must be made or there will be no progress. But we find necessary and timely job decisions increasingly difficult to obtain, and far too much time is lost by the contractor in waiting for decisions which must travel up and down the complete chain of command.

Any delay in the prosecution of a construction job is a cost factor, and must, inevitably, be reflected in the contractor's bid prices. As evidence of this, we offer the following: In April 1960, during the Oklahoma hearings, the Bureau of Public Roads initiated new, severe record sampling requirements and, at almost the same time, notified the States that there must be posted on each Federal-aid project a notice stating the penalties which could be applied, to engineers and contractors alike, for any violation of rules or law.

We did not then, nor do we now, question the correctness or propriety of those actions. We are concerned only with their interpretation by, and their effect on, the field personnel of the Bureau and the State highway departments. The result was, and continues to be, delays on decisions, testing, inspections, and change orders. And the end result has been increased prices. Since April 1960, contractors' bid prices have increased 5.8 percent.

This increase represents a substantial amount of money. Almost \$24 billion remains to be expended for construction on the Interstate

System alone; 5.8 percent of that is \$1,392 million. If the conditions we have described continue, prices will continue to increase, and the Congress will eventually be confronted with the hard choice of either reducing the size of the Interstate System or again increasing taxes to pay for it.

PROGRAM NEEDS CONFIDENCE AND SUPPORT

Is there any remedy? We believe there is. We believe the Congress should assure the personnel of the Bureau of Public Roads and the State highway departments that as long as they carry out their assignments honestly and efficiently, and render decisions based on sound engineering judgment, they are in no danger of being summoned before a committee of the Congress to explain or justify those actions. We sincerely believe, Mr. Chairman, that that action alone would save the public millions of dollars and would also restore the atmosphere of stability so badly needed by the industry. Otherwise the cure may quite well prove to be more costly than the disease.

The Bureau of Public Roads-State highway department-contractor team has worked well, and has served the Nation well, for 46 years.

But teamwork does not mean collusion.

Nine and six-tenths miles of unacceptable highways does not mean that all 139,000 miles are bad.

Eight contractors barred does not mean that all 10,000 are dishonest.

There is a good side to the Federal-aid highway program, and we respectfully urge the Congress to recognize, acknowledge, and publicize that side along with the other side.

The program today needs and deserves restored public confidence and support. It also needs and deserves the confidence and support of the Congress of the United States.

That ends the testimony. Thank you, sir.

Mr. FALLON. Mr. Miller, on behalf of the committee I should again like to thank you for coming here this morning. Mr. Scherer. Mr. Baldwin.

Mr. BALDWIN. Mr. Miller, the implication of your statement seems to be that you feel our Highway Investigating Subcommittee has been the major item responsible for an increase in highway construction costs of 5.8 percent in the last 2 years. I might say that those of us who serve on the Highway Investigating Subcommittee have felt it has served an essential function. We do not share the feeling which seems to be implied in your statement that Congress now thinks that the highway program is unjustified, or else we would not be here prepared to pass a bill which would authorize \$950 million or so a year for the next 2 years for the A-B-C program.

However, we have found, through the hearings of that Highway Investigating Subcommittee, that there were misuses of Federal funds, and it was our job as representatives of the people to look into it. I personally cannot believe the implication of your statement, that the Highway Investigating Subcommittee is the major reason for an increase of 5.8 percent. I cannot believe that is the actual fact. Let me ask you this question: Have there not been factors in the way of highway costs of construction that have gone up in the last 2 years? What about your labor and material costs in the last 2 years?

Mr. MILLER. They have increased some—not very much, but they have been increasing for the 2- or 3-year period prior to the backlog after the investigations, and we had not raised prices. As a matter of fact we had lowered them over a 2-year period in the face of increased prices of labor and materials.

Mr. BALDWIN. In the face of increased prices of labor and materials. Would you care to estimate what percentage increase you have experienced in the last 2 years in materials and in labor?

Mr. MILLER. We have some facts on that. I hope I have them with me. Probably 2 percent.

Mr. BALDWIN. For the entire 2 years, or for each year?

Mr. MILLER. For each year.

Mr. BALDWIN. That is a total of 4 percent?

Mr. MILLER. Yes, sir.

Mr. BALDWIN. There has already been testimony by the American Road Builders Association and by you that you have had additional taxes levied by the States, because you have advocated in your statement that we take action to try to get those taxes repealed, so it appears pretty clear from your testimony you have also had an increase in State taxes. Is that not true?

Mr. MILLER. Yes, sir.

Mr. BALDWIN. Then in fact you have had an increase of 4 percent in the 2-year period in materials and labor, plus an increase in State taxes; and I don't think personally that the implication of your statement is a fact, namely, that the primary responsibility for a 5.8-percent increase in costs was the result of the Highway Investigating Subcommittee.

(The following was furnished for insertion:)

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.,
Washington, D.C., April 24, 1962.

Hon. GEORGE H. FALLON,
Chairman, Roads Subcommittee of the House Public Works Committee, Congress of the United States, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In the testimony we presented before your subcommittee on April 18, 1962, we stated that since April 1960, contractors' bid prices on Federal-aid highway construction had increased 5.8 percent.

Congressman Baldwin then asked what part of this increase resulted from higher wage rates and increased costs of materials and equipment. In further response to that inquiry we submit the following: In the period of time to which we referred—April 1960 to January 1962—wage rates increased 7 percent, equipment costs increased 0.7 percent, and the cost of materials declined 3 percent. The composite increase of these three is 2.1 percent. The source of these data is the Bureau of Public Roads.

We did not intend to attribute the entire 5.8 percent increase to the situation described in our testimony. Based on the figures above, however, there remains a 3.7-percent increase—aside from wages, materials, and equipment—which, in our opinion, does reflect that situation.

It is respectfully requested that this letter be inserted in the record of the hearings at the proper place.

Very truly yours,

M. CLARE MILLER.

Mr. SCHERER. Will the gentleman yield?

Mr. BALDWIN. Yes.

Mr. SCHERER. As I remember it, construction costs increased about 8 percent between 1954 and 1958, and starting in 1958, in the latter part of 1957, there was a general decline in construction costs up through 1960. Is that right?

Mr. MILLER. That is right.

Mr. SCHERER. At least I made that statement as a result of statistics that I studied. Now, has that decline been due to greater competition and improved methods of construction since 1958?

Mr. MILLER. That is right.

Mr. SCHERER. Is there any question about it that highway construction costs have declined since 1958? If so, I have been in error.

Mr. MILLER. They either declined or held virtually a straight line, and these cost increases were not greater, or were equally as great during that period as they have been during the last year since this increase started. We could only gather from that and from our own experiences where the differences in our costs could come from: We were able to hold the line through increased productivity and increased capacity of equipment. We were able to hold the price line despite that average increase.

Mr. SCHERER. Mr. Chairman, I made that statement so often in speeches that I wanted to ask the American Road Builders Association whether the statement I have just made is substantially correct. If not I would like to have the record corrected. General Prentiss, would you answer that?

General PRENTISS. As I recall, the statement which you made is correct, namely, that since 1958 prices have flattened out and have been practically in a straight line rather than a continuing increase as they did between 1954 and 1958.

Mr. SCHWENGEL. Mr. Chairman.

Mr. FALLON. Mr. Schwengel.

Mr. SCHWENGEL. First I would like to say this, Mr. Miller: I appreciate having you here before us and having the benefit of your testimony, and I wish to say to you and to the committee that I respect your organization highly. I have known about your organization and its activities since I have been in public life, which dates back to the time when I was a member of the Iowa Legislature, and a member of the roads committee there. Not always did I agree with the suggestions and propositions you have presented to the legislature, nor have I always agreed with the positions you have taken here in the Congress, but generally speaking I am glad to tell you that I respect your organization and I know you are trying to do a conscientious job.

Mr. MILLER. Thank you, sir.

Mr. SCHWENGEL. I think this is a fine statement you have made here before this committee, and I will have some questions later. But first on this question of increased cost that may relate to the investigation. As I interpret your testimony you are not objecting to the investigations we are carrying on. Is that right?

Mr. MILLER. Not at all.

Mr. SCHWENGEL. It is the opinion and position of your organization that you want to get the crooks wherever they are, and you want to see them prosecuted.

Mr. MILLER. We certainly do.

Mr. SCHWENGEL. To the limit of the law you want them prosecuted, and you want to clear the air because this is in the public interest and certainly in the interests of private enterprise.

Mr. MILLER. Yes, sir.

Mr. SCHWENGEL. But you are objecting, and I agree with you, to unfair publicity that has emanated at least indirectly from this committee, and which has appeared in certain magazines. I agree with you on this and I support you. I also think we ought to pay tribute to the people in the contracting business for the constructive contributions they have made. You have in many instances reduced the cost despite the rising costs of material, and despite inflation. For this we should salute you and for this we ought to applaud you and the virtues and the efforts of private enterprise.

In your testimony you made reference to the failures and I wonder if you would be in a position to elaborate briefly on the causes of casualties among highway contractors.

Mr. MILLER. It is a very noticeable cause. Just too much competition.

Mr. SCHWENGEL. Too much competition?

Mr. MILLER. Which results in too low bidding and, therefore, a contractor cannot remain in this business, which requires such a terrific outlay of capital expenditures for a competitive spread.

Mr. SCHWENGEL. That raises a good point. How much capital do you have to have on hand and how much investment do you have to have? Let us take, for instance, a bid on a \$1 million job.

Mr. MILLER. It would depend somewhat on the type of work. If it was a turnkey job that required all factors of grades, bridges and paving, which most of them are now like, it would take in excess of \$2 million worth of equipment, plus sufficient finances to meet your estimates as they are determined.

Mr. SCHWENGEL. So unless a contractor can see that he has an opportunity to bid in the future and stay in this business, it certainly is not a good business for him to invest in for one job.

Mr. MILLER. No, it is not.

Mr. SCHERER. What is the greatest risk business in the world?

Mr. MILLER. I would say construction.

Mr. SCHWENGEL. That is all.

Mr. SCHERER. Are there more failures in the contracting business than in any other business outside of grocery stores or restaurants?

Mr. MILLER. The mortality rate is extremely high. I do not know if I can compare these.

Mr. SCHERER. Groceries and restaurants I think have the highest number of failures.

Mr. SCHWENGEL. You said there were 10,000 contractors in the United States who build highways. Do you have any idea of how much investment they represent?

Mr. MILLER. It would be a staggering figure, but I am sorry, I do not know what it would total. There are all sizes, as you recognize, and it would be hard to say.

Mr. SCHWENGEL. Is there some way to get that figure?

Mr. MILLER. Yes. I think I could.

Mr. SCHWENGEL. It would be a very interesting figure for us to have in the record.

Mr. MILLER. There are single pieces of equipment now that cost in excess of \$100,000 per unit, and we need that type to be competitive.

Mr. SCHWENGEL. Almost anyone who builds and bids on the Interstate System has to have this equipment.

Mr. MILLER. He needs to have it to be competitive.

Mr. SCHWENGEL. If it is possible to get that figure I would like to have it.

Mr. MILLER. We will get that.

Mr. SCHWENGEL. Thank you.

Mr. FALLON. Mr. Miller, would you say that the contracting business is more of a hazard than being a Member of Congress? I think we have more casualties every 2 years than you do. Mr. McFall.

Mr. McFALL. You did not touch on this in your testimony, Mr. Miller, but what would be your attitude toward the provision in the bill for forest development roads and trails on which the bill provides some \$40 million? Would you be for or against an increase in that amount of money for forest development roads and trails, or do you have any opinion on it?

Mr. MILLER. Well, it would be extremely difficult for a contractor ever to be against any increase in a market provided for him, so I would say we would be for it.

Mr. McFALL. Thank you.

Mr. FALLON. Are there any other questions? Mr. Miller, let me again, on behalf of the committee, thank you and your associates for coming down here this morning and giving us the benefit of the long experience and knowledge you have acquired over the years in the construction business.

Mr. MILLER. Thank you very much.

(The following was furnished for insertion:)

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.,
Washington, D.C., April 24, 1962.

Subject: H.R. 11199.

HON. GEORGE H. FALLON,
Chairman, Roads Subcommittee of the House Public Works Committee, Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN FALLON: Attached is the supplemental statement of this association on the above bill which we will greatly appreciate your placing in the record at the appropriate place.

Very truly yours,

M. CLARE MILLER.

Attachment.

STATEMENT OF THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC., TO SUPPLEMENT TESTIMONY BEFORE THE ROADS SUBCOMMITTEE OF THE HOUSE PUBLIC WORKS COMMITTEE ON APRIL 18, 1962

This supplemental statement comments on certain provisions of H.R. 11199.

SECTION 2(1)

We support the authorizations for the A-B-C system for the fiscal years 1964 and 1965 as proposed in H.R. 9725. Our members are unanimous in their support of this provision.

SECTION 2(2)(3)(4)(5)(6)(7)(8)

We support these authorizations, provided they are not financed by the highway trust fund.

SECTION 4—ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

While we are not directly affected by this provision, it seems to us to be a logical solution to an often vexing problem. We are, however, as we have already testified, opposed to the use of trust fund money for any purposes other than the construction of highways and the administrative functions of the Bureau of Public Roads.

We support this provision, provided its expenses are not borne by the highway trust fund.

Mr. FALLON. Our next witness this morning is the Honorable Al Ullman, our colleague from Oregon. He is to present Mr. Tollenaar and Judges Ogle and Rea from his State.

**STATEMENT OF HON. AL ULLMAN, A MEMBER OF CONGRESS
FROM THE STATE OF OREGON**

Mr. ULLMAN. Chairman Fallon and members of the committee, I appreciate the opportunity to appear before you on this most important legislation. The national forests play a key role in the economy of my district, my State, and indeed, of the Pacific Northwest. Access roads similarly play a key role in the management of our national forests—not only from the standpoint of timber conservation and sale, but from the standpoint of all aspects of multiple-use management of our forest resources.

The President has requested an increase in the authorization level for forest development roads and trails. I am extremely pleased that he has done so, as it is a request which, in my opinion, is overdue. In frankness, though, I do not believe that the President's request calls for a sufficient increase to meet the needs of the situation. As you know, I have sponsored a measure, H.R. 10619, which would provide substantially larger increases in this authorization level over the next 3 fiscal years. I am before you to urge your sympathetic consideration of the levels which are called for in my bill.

The administration bill would provide for a level of \$50 million in the coming fiscal year, rising to a level of \$70 million in fiscal year 1964 and to a level of \$85 million in fiscal year 1965. My bill would provide for a level of \$67.5 million in the coming fiscal year, \$90 million in fiscal year 1964, and \$120 million in fiscal year 1965. The larger figures called for in my bill are based directly on the needs indicated by the Forest Service itself and submitted to the Congress by the President last September in the development program for the national forests. This program forecasts a need for access road construction amounting to \$1.2 billion over the next 10 years. To meet that need it is clear that annual investment in development roads will have to rise to the \$120 million goal set in my bill and, I would add, the current critical situation in the American lumber industry requires that it do so as soon as possible.

Having thus stated the need as I see it for more substantial increases, I want to devote the remainder of my brief statement to the general case for construction of access roads on an appropriated basis rather than by timber purchasers. The factors which I will list apply to both the increases called for by the President and, even more strongly, to the somewhat larger increases which I am urging.

First, I want to stress that expenditures on forest development roads and trails represent an investment. There is a tendency to think that if timber purchasers are required to build access roads, the Government somehow saves money. I am sure that you gentlemen are aware that this is a fallacy. When the timber purchaser is required to build access roads, the price which he pays for the timber is reduced by the cost of the road so that the timber revenues, in effect, pay for the road in either event. Construction of forest access roads by the Forest Service itself has several advantages not only for the Government, but also for the timber purchasers and for other users of the national forest.

From the standpoint of the Forest Service, their construction of access roads makes possible more efficient and economical management of our timber resources. For example, the location and type of road can be based on factors other than just the harvestable timber—it can be based on recreation potential, fire control needs, and long-range sale plans. In addition, when the Forest Service builds the access roads, more prospective timber purchasers are in a position to bid on a sale, including the smaller loggers and mills who are not in a position to construct access roads as a part of timber purchase contracts. This means more competitive bidding and higher returns to the public from the sale of their timber resources. Furthermore, it seems to me that the argument can be made that the Forest Service can build its own roads on a more economical cost-per-mile basis, because of the economies of scale which can be taken advantage of.

From the standpoint of timber purchasers themselves, there are clear advantages to be gained from Forest Service construction of development roads. Not only does this open sales to many bidders who would otherwise not be in a position to participate, as I have already indicated, it also eliminates the substantial lag between bid and harvest that is involved when the purchaser must construct access roads prior to harvesting the timber bid on. This factor means that the timber industry does not have to bid on a sale on the basis of this year's lumber market and then sell the timber on next year's market—which may be substantially different—as is so frequently the case when considerable access road construction is involved in a sale contract.

Finally, as I have previously noted, the increasing importance of recreational and other uses of our national forests furnishes another strong argument for an expanded development road program to be carried out by the Forest Service itself. When access roads are built by timber purchasers, they tend to be related primarily to the timber harvesting aspect alone. When the Forest Service plans and builds its own access roads, the result can be much greater development of the recreational potential of the forest.

In short, our forest development road program is an essential and increasingly important part of multiple-use forest management. The careful projection of needs made by the Forest Service last year indicates that a very considerable expansion of this program is necessary. The increasingly critical situation in the lumber industry adds to the urgency of the situation. I urge your recommendation to the full House of increases in the authorization level on the order of magnitude of those I have called for in my H.R. 10619.

I am pleased that the National Association of County Officials has expressed its strong support of my bill, and with me this afternoon are representatives of that association to present their own testimony on this legislation. As you know, the counties in our national forest States have a close interest and contact with this program and it is my privilege to introduce to your committee three able spokesmen for county government from my own State of Oregon: Judge Jim Ogle, of Lake County, Oreg., in my congressional district, is the president of the Association of Oregon Counties, and Mr. Kenneth Tollenaar is the executive secretary of that association. They are accompanied by Judge Lloyd Rea, of Baker County, chairman of the association's public lands committee. They are appearing today on

behalf of their State association, and of the National Association of County Officials. I urge your careful consideration of their recommendations.

Mr. FALLON. Mr. Tollenaar, you are accompanied by Judge C. W. Ogle and Judge Lloyd Rea. The judges are sitting in the wrong spot here this morning. Mr. Tollenaar, let me, on behalf of the committee, welcome you here, and you may proceed just as you like.

**STATEMENT OF KENNETH C. TOLLENAAR, EXECUTIVE SECRETARY,
ACCOMPANIED BY JUDGE C. W. OGLE, PRESIDENT, AND JUDGE
LLOYD REA, CHAIRMAN OF THE PUBLIC LANDS COMMITTEE,
ASSOCIATION OF OREGON COUNTIES, APPEARING ON BEHALF
OF THE NATIONAL ASSOCIATION OF COUNTY OFFICIALS**

Mr. TOLLENAAR. Thank you, Mr. Chairman. Judge Ogle, on my left, is the president of the Association of Oregon Counties, and Judge Rea, on my right, is the chairman of our public lands committee.

Mr. Chairman and members of the committee, my name is Kenneth C. Tollenaar. I am executive secretary of the Association of Oregon Counties, and I am appearing today also as a representative of the National Association of County Officials.

The National Association of County Officials represents elected county officials in all of the States which have organized county government. Our national policy statement, the American county platform, contains the following provision:

8-6. FOREST ACCESS ROADS. We strongly support prompt implementation of the program objectives outlined in the long-range program for the national forests. Federal participation, by increased appropriations and authorizations in the construction of forest roads should be immediately accelerated, with road construction by timber purchasers being directed toward only those roads required for flexibility in their operations. The increased construction of forest access roads, by Federal appropriation, will result in a better, more permanent road system at a lower cost, more opportunity for competitive bidding by small timber operators, increased access for forest fire protection, recreation, and other multiple uses, and increased revenues for State and local governments.

At this time, NACO respectfully recommends that the level of Federal investment in national forest development roads and trails be established at the levels provided in Representative Ullman's 10619, and Senator Morse's S. 2936—\$67.5 million for fiscal year 1963, \$90 million for 1964, and \$120 million for 1965.

The existing authorization for forest development roads and trails for 1963, as provided in the Federal Highway Act of 1960, is \$40 million, of which \$2.5 million was obligated in 1962. In addition, receipts from the 10-percent fund (under the act of Mar. 4, 1913) are estimated at \$11.3 million for 1963, and it is estimated that the Government will in effect pay another \$51.5 million for roads and trails during 1963 in the form of stumpage price reductions for purchasers of national forest timber who build and maintain their own roads. In other words, the entire forest development roads and trails program, including both construction and maintenance, would come to about slightly more than \$100 million in fiscal 1963 without any increase in the authorization.

The increase in the authorization from the present level of \$40 to \$67.5 million in fiscal 1963 is needed to get the roads and trails program

up to the schedule planned in the development program for the national forests, transmitted to Congress by President Kennedy, September 21, 1961. This development program is based on careful estimates of national forest use requirements for both a short-range (10-year) and long-range (40-year) period. For example, it indicates that the number of recreation visits in the national forests will roughly double from about 100 million at the present time to almost 200 million at the end of the 10-year period, and that the national economy will require a timber harvest of about 13 billion feet 10 years from now, compared with 11.2 billion in 1961. Other increases in national forest usage for such purposes as grazing, mining, wildlife, and watershed development are forecast in the development program.

Access roads are the key to all national forest management activities. Even with the \$10 million increase in the roads and trails authorization for fiscal 1963 provided in H.R. 11199, the roads and trails program will still only be at 81.3 percent of the planned level. If this program is not brought up to schedule this year, it will be increasingly difficult in the years ahead to meet the needs as they develop.

The recommended levels of \$90 million for 1964 and \$120 million for 1965 would enable the Forest Service to maintain the schedule required by the development program, and would also provide for a further shift in the method of financing access roads, from the indirect method of reducing timber prices to compensate timber purchasers for road costs, to the direct method of financing the roads from appropriated funds, and including their cost in the timber price.

Authorizations for forest development roads and trails have been part of the biennial Federal Highway Act for several years, and this program has, therefore been reviewed by your committee on several past occasions. A review of the transcripts of your past yearings indicates that the following main points have been made in support of increasing the authorization:

(1) Appropriations for timber access roads do not represent a net cost to the Government, but are offset by timber sale receipts. This is automatic, since the Forest Service appraisal takes into consideration the cost of gaining access to the timber. If the roads for a particular sale are to be built by the purchaser, this cost is subtracted from the price of stumpage. If the Government builds the road, the road cost attributable to timber access is included in the stumpage price.

(2) When the Government builds the roads necessary for a timber sale, more small mills and loggers find it possible to bid, and this tends to increase the amount the Government would otherwise realize from sale of the timber. The large capital outlays required for timber sale roads cannot easily be met by small operators. When the Government builds the roads and includes the cost in the stumpage price, payments are made as the timber is actually cut. This makes it possible for small operators to participate, thus increasing competition for national forest timber.

Providing more opportunities for small mills and loggers to bid on national forest timber is extremely important at the present time. U.S. census figures show that the number of firms in the lumber and wood products industries in the United States declined from 41,484 in 1954 to 37,789 in 1958. In my own region, for the same period of

time, the number of sawmills and planing mills declined from 1,326 to 721 in Oregon and from 607 to 488 in Washington. The number of logging camps and contractors went down from 2,225 to 1,652 in Oregon and from 1,119 to 1,026 in Washington. The situation is of more than statistical interest in our area, where unemployment and idle plants and equipment in the timber industry are commonplace.

(3) Construction of forest development roads and trails other than those essential for immediate timber sales is necessary for proper forest management, and these roads can only be financed with appropriated funds. A network of mainline access roads in the national forests is needed to permit thinning of young stands, harvesting of old over-ripe timber, and prevention and recovery of losses from insects, disease, fire, windfall, and similar causes. Vast portions of the national forests—in our region about 60 percent of the area, containing an estimated 100 billion feet of timber—are not presently accessible for these purposes. Appropriations for access roads to reach these areas may not be recovered as immediately and directly as appropriations for timber sale roads, but there would be some immediate return in sales of thinnings and salvage timber, and in the long run these roads will certainly more than pay for themselves.

Mr. Chairman, the report of your own committee on the Federal Highway Act of 1960 aptly summarized these arguments when it stated that—

the committee has been persuaded by the fact that every cent invested in timber access roads enhances the value of the Federal forests, and returns in full the investment made by the Federal Government.

The National Association of County Officials believes that there are several additional considerations which may be cited in support of further increasing appropriations for forest development roads and trails, and decreasing the participation in this program by timber purchasers.

First, under the present program we are not getting the kinds of roads necessary to reach the objectives of the Multiple Use-Sustained Yield Act of June 12, 1960, which directs that the national forests shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes. A timber purchaser can only be required to build the type of road which a "prudent operator" would find necessary to remove the timber from a particular sale. He cannot be forced to build roads in such locations and with such design features that they will serve the needs of recreationists and other national forest users.

Meeting recreation needs alone in the national forests is going to require a substantial increase in appropriations for forest development roads and trails, and this is an item of great importance to each of the 41 States that have national forests. The report of the Outdoor Recreation Resources Review Commission, released a few weeks ago, clearly outlines the need to develop the national forests for intensive recreation usage. This was underscored by Secretary Freeman's announcement March 30 of a plan for the high mountain areas of national forests of the Pacific Northwest region. Planning of this type for recreation in all national forests must take place if the leisure time requirements of our expanding population are to be met, and access roads are the backbone of any approach to this problem.

Second, there is no real economy in the substandard roads and bridges which must be built if the "prudent operator" concept is adhered to. These roads have wasted millions of dollars in unnecessarily high hauling and maintenance costs for the operators themselves, and in reconstruction and replacement costs for the Government. A recent engineering study by region 6 of the Forest Service analyzes the effect of maintenance and hauling costs as components of total annual costs per mile of road at different construction standards, and estimates that if access roads in region 6 could be built to planned standards during the next 20 years, savings in maintenance and hauling costs alone would amount to \$329.5 million, as compared with construction costs of \$282 million.

Third, in all but a very small proportion of timber sales requiring road construction by the purchaser, the road work is done by the purchaser on "force account" and there is not opportunity for competitive bidding on the road job itself. NACO believes that these forest development roads and trails would be built better and cheaper if professional road contractors were allowed to participate in the program. I believe there will be testimony from other organizations on this point, and it will not be necessary for me to elaborate on this.

Fourth, we in local government are acutely aware that when timber purchasers build timber sale roads, 25 percent of their cost is borne by the county and school district governments. The cost of the road is deducted from stumpage, which reduces the gross receipts upon which the 25 percent share of local government is calculated.

If reliance on purchaser construction could be justified on the basis of other measures of the public interest, the financial impact of this procedure on local government could perhaps be ignored. However, in the light of the apparent overriding public interest in having the Government assume responsibility and control for its own national forest road system, the present sacrifices of local government seem particularly pointless.

Mr. Chairman, our testimony may be epitomized by the observation that we need to free the national forest roads and trails program from the shackles by which it is bound to the progress of timber sales. Much of the proposed program will be directly self-supporting, while public benefits from increased recreation opportunity and increased fire and pest control and from increasing the available supply of timber fully justify any remaining costs.

The National Association of County Officials has prepared a background statement that goes into more detail on this proposal than time allows for our testimony, and I would be pleased to offer it for the record.

We deeply appreciate this opportunity to appear and express our views.

Mr. FALLON. Thank you very much. Did you want to make a statement, Judge Ogle?

Judge OGLE. Yes, Mr. Chairman.

Mr. FALLON. We will be happy to hear you at this time.

Judge OGLE. Mr. Chairman and members of the committee, my name is C. W. Ogle, county judge of Lake County, and a resident of Lakeview, Oreg. I, too, am appearing on behalf of the National Association of County Officials, but in particular as president of the Association of Oregon Counties. My own county, of which I have

been a resident since 1908, is a heavily timbered area, and the economy is vitally affected by the marketing of these products.

Mr. FALLON. Would you pardon me for just a second, Judge. You heard the bells ring just now. This means we have a rollcall on the floor of the House and all the Members must be there. We will have to recess now to enable us to leave. We will come back in about 10 or 15 minutes.

(Whereupon, a recess was had.)

Mr. FALLON. We will resume the hearing. Judge Ogle, we will be very happy to hear from you further at this time.

Judge OGLE. My experience in the Bureau of Land Management, and as an elected county official of long standing, has kept me conversant with timber problems and the ups and downs to which its economy is subjected. In the interest of time, however, I will confine my remarks to facts affecting my own section of the State.

I do not believe that the appraised value of timber per se, as set up by the Forest Service, is the dominant criticism of millowners in our area. Rather, the type of road entry required, the heavy maintenance, and the somewhat roundabout cruising of timber (which incidentally creates additional access road cost) appears to injure operators far more than the bid price for the timber itself. I might add at this time that there does not seem to be any set standard for roads which applies to all forests. A hundred miles to the west, for instance, road requirements are much lower than in our county, and the cleanup provisions are less stringent. These factors appear to be left to the discretion of the supervisory personnel of a particular forest. It would appear, then, that here is a place where we should either change the mode of operation, or set up standards applicable to all bidders regardless of the forest location. Were the Forest Service to build its own roads, this situation would be cared for automatically. Further, if extra roads were required to log a remote tract or a spotty cruise, there would be no additional drain on the bidder.

This problem has already been placed before Secretary Freeman by the Lumberman's Association, along with a proposal similar to the change that we are advocating, but at this date I have heard no comment from his office.

A natural consequence of the building of roads from appropriated funds would be a more accurate cost estimate on the projected roads needed to log a given area. In the past, this has been, quite frequently, considerably lower than the final actual cost to a successful timber bidder. I think that another result would be a much closer check on the location of block sales and, of necessity, more careful timber cruising of a given area in order to get the most timber from use of a particular road, or roads. It would appear to me that we would acquire a better, broader coverage of access to both logging and recreational areas, since more planning of a long-range variety would be necessary in order to operate on a Federal road budget. Certainly, there would be standardization of construction and practical location study if nothing else was gained.

I do not contend that everything that the Forest Service is doing in this respect is all wrong; neither do I feel that they are always right. I do say that there is much room for improvement in many aspects of forest operation, and that this is one of the best places to start such a

progressive program. As a representative of my county, I am vitally concerned, since some 60 percent of our income is from this source. In the past few years I have seen this dwindle from a \$2,500,000 gross to about \$1,850,000, a 33-percent drop. Most of this loss is not to be attributed to market conditions, but rather to an unrealistic approach to the situation in local economies. This begins with present road demands.

Again I would urge you, on behalf of the people whom I represent, to give your utmost consideration to this proposed change in the Forest Service procedure on roads. I believe it will be of more benefit to areas such as ours than any other stabilization move that you could make.

I would like to thank you for allowing me to appear before you to present the views of our association, and my county.

Mr. FALLON. Thank you, Judge Ogle. Judge Rea, do you have a statement?

Judge REA. Thank you, Mr. Chairman. Yes; I do.

Mr. FALLON. We will be happy to hear from you at this time, Judge Rea.

Judge REA. Mr. Chairman and members of the committee, my name is Lloyd Rea of New Bridge, Ore. I am county judge of Baker County, Ore. I am past president of the Association of Oregon Counties and for the past 5 years have served as chairman of our public lands committee. I also serve as a director of the National Association of County Officials.

Our public lands committee took as a special project the study of the forest access road program. This study lasted for approximately 2 years. We discussed this situation with the Forest Service people, timber operators, and other interested citizens. I would like to point out to the committee that as county officials we are only interested in what is best for the general public, as I know you of the committee have that same interest.

First, we found that a larger percentage of roads are being built by timber purchasers than by the Government through appropriations.

Many of the roads are not constructed to a high enough standard, and will no doubt have to be rebuilt with tax money. Bridges on many of these roads are of a temporary type, put in for the timber sale only. Where the Forest Service has been able to use appropriated money, we find the conditions much better.

The multiple use of our national forest demands that these roads be built to a better standard, especially the main-stem roads. It is clear to see that this type of road must not be tied to a timber sale—using this method, we never will gain entry to the most remote areas.

As we see it, the Congress has the opportunity this year to change this policy and start a new one on a broader concept than is now in effect. Some have claimed this new program will cost the Government money. Money deducted from timber is cash we could have in the Treasury. It will some day cost the Government millions of dollars to go back and rebuild the roads that are not adequately built now. Most of all, it seems that the different Government departments need to do some planning ahead.

It will take some considerable time to build the roads that are needed, so time is of the essence. The people are moving faster with their desire to use the roads for multiple use than we are in providing them for their use.

Timber is one natural resource that is renewable. We should not let it be destroyed by disease and insects. When it is ready to cut, we are wasting it, if we fail to get the job done at the proper time. A tree can burn within a few minutes. It takes as much as 150 years to grow a tree to maturity in my area. We have instances where an area has been logged and relogged; yet, large portions of our national forest have never been entered, because of lack of funds to build the necessary roads.

We in county government are encouraged by the interest in national forest development, realizing any increased activity will help our economy. At the same time, this will increase the load on local government and schools. The roads have to be built leading to the forest boundary, and in most instances these are county roads. Many roads are having to be upgraded to carry the increased traffic. The schools are getting overcrowded in many areas.

Many of these roads and schools are financed in part by the 25 percent we get from the sale of timber on the national forest. When roads are financed by timber sales, it therefore reduces the amount we get to help run local government.

Where road construction is made a condition of a timber sale, the bidder must finance some of the roads before he removes the timber. In most instances the small mill does not have the equipment to build the road, nor the necessary resources to hire the job done. The number of small mills has declined in the last few years and we think this access road program has been part of the reason. Although, we know that other causes have also contributed.

The Federal law requires forest development roads that cost over \$10,000 per mile to be let for bid when they are built with appropriated funds. We do not find this to be true on roads that are built by timber purchasers.

The Forest Service has estimated that they will eventually need more than a half million miles of development roads. A third of this amount has already been built. It is estimated that 60 percent of their roads are now being built by timber sales.

For good business management these roads should be built by competitive bidding. We would then have people that are interested in building roads for a living, and not an operator that is in the lumber business and not roadbuilding. I feel sure the Government would save many thousands of dollars and at the same time relieve the operators of a job they do not want.

A policy on the main stem roads being built with appropriated funds will go a long way to solve the problem.

First, it will insure healthy competition for the timber.

Second, it will help solve the problem of the standard of the roads.

Third, it will help the Forest Service plan for full development.

We have a recent experience of what can and does happen to a small mill operator in his attempt to bid on Government timber and build the roads necessary to obtain the bid. Last November the Baker Lumber Mill was high bidder on a sale of approximately 15 million board feet. The estimated amount for roadbuilding was \$40,000. The Forest Service estimated this timber to be worth approximately \$100,000. The bidder was required to build the road in addition to buying the timber. This small operator could not qualify with a bonding company for the roadbuilding, and as a result lost 20 percent of his bid deposit.

Mr. Chairman, I would like your permission to place in the record a letter I received from Mr. Early J. Chartrey, of the Baker Lumber Mills. I am sure it will explain the situation for your committee. With your permission, may I read it for the record?

Mr. FALLON. You may proceed.

Judge REA. The letter reads as follows:

BAKER LUMBER MILLS, INC.,
Baker, Oreg., April 12, 1962.

Hon. LLOYD REA,
*Chairman of Public Lands Committee,
Association of Oregon Counties,
Baker, Oreg.*

DEAR JUDGE REA: It is my understanding that your committee is active in an attempt to bring about a more sound and workable policy in regards to access roads where public lands are concerned.

As an owner and operator of a small lumber manufacturing plant I wish to express to you some of my thoughts concerning this problem.

It is my feeling that the requirements of the Forest Service on roadbuilding where forest sales of timber are involved, make it prohibitive for the small operator to cope with.

Specifications set forth for roads in connection with the logging of forest sale tracts are far in excess of economical requirements for a practical logging program. If the Forest Service is to continue with a policy of highway building first, and the sale of timber as a secondary consideration, the some provision should be made whereby the Forest Service would provide the financing for such road construction instead of making the timber purchaser finance the roadbuilding for them.

Last November our firm was the high bidder on a forest tract of timber. The estimated cruise was just over 15 million board feet. The estimated roadbuilding on this tract required to be built according to specifications as set forth by the Forest Service for the logging of this tract was \$40,000.

One point I would like to stress here is that in no case will the Forest Service guarantee their cruise estimate or their roadbuilding estimate. In a good many cases their cruise estimates fall far short and roadbuilding cannot be completed for their estimates.

Some provision should be made whereby the Forest Service would stand behind their estimates and in event of gross discrepancies between estimate and reality some adjustment would be made.

Because of the trouble many small operators have had in dealings with the Forest Service, the bonding companies have become much tougher on their requirements for posting a performance bond. We were not able to secure a bond on the above-mentioned sale and were forced to forfeit 20 percent of our bid deposit.

It is my sincere hope that your committee will be successful in bringing about some long-needed changes in this program.

Very truly yours,

EARL J. CHARTREY, *Manager.*

Mr. Chairman, I can see trouble for the Forest Service. As the small operators disappear from the scene, I can see the Forest Service having difficulty in maintaining control of the price of its timber. We can see the start of this trend in the West at this time. There may be a time when a given area is controlled by one larger company. When that happens both the Federal Treasury and the local road and school funds will suffer, since the stumpage price for Government timber will no longer be controlled by the Government.

I would recommend to the committee that President Kennedy's program for the national forest be implemented by increasing the funds for access roads and trails for the fiscal year 1963 from \$40 million to \$67.5 million. Also, that authorizations of \$90 million for fiscal year 1964 and \$120 million for 1965, be enacted. These amounts should be included in the 1962 Federal-Aid Highway Act in order to get the multiple-use roads that are so badly needed. Senator

Morse has introduced Senate bill 2936. Congressman Ullman has introduced House bill 10619. I earnestly request your support for the authorization levels in these bills.

Mr. CHAIRMAN, I thank you very much for the opportunity of appearing before you.

Mr. FALLON. Thank you gentlemen for coming here. I guess you were here yesterday when the Assistant Chief of the Forest Service testified?

Mr. TOLLENAAR. Yes, sir.

Mr. FALLON. Along the same lines that you have. So again I tell you that we appreciate your coming here to give us the benefit of your knowledge of these problems. We are grateful for it. Thank you very much.

Mr. TOLLENAAR. Thank you, Mr. Chairman.

Mr. FALLON. The committee will adjourn to sometime after the Easter recess, at which time the witnesses that are to appear will be notified.

(Whereupon, at 12:30 p.m., the subcommittee adjourned subject to call of the Chair.)

FEDERAL HIGHWAY ACT OF 1962

TUESDAY, MAY 1, 1962

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ROADS OF THE
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10:15 a.m., in room 1302, New House Office Building, Hon. George H. Fallon, chairman of the subcommittee, presiding.

Mr. FALLON. Ladies and gentlemen, the Subcommittee on Roads of the Public Works Committee of the House of Representatives is meeting this morning for the continuation of hearings on H.R. 9725, H.R. 9848, and H.R. 11199, to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways.

Our first witness this morning is the Honorable Clarence D. Martin, Jr., Under Secretary of Commerce.

Mr. Martin, on behalf of the committee I welcome you here this morning and tell you I appreciate your coming down here and giving us your time.

STATEMENT OF CLARENCE D. MARTIN, JR., UNDER SECRETARY FOR TRANSPORTATION; ACCOMPANIED BY REX M. WHITTON, ADMINISTRATOR, BUREAU OF PUBLIC ROADS, DEPARTMENT OF COMMERCE

Mr. MARTIN. Thank you, Chairman Fallon.

Mr. Chairman, members of the Public Roads Subcommittee, I have with me this morning Mr. Whitton, the Administrator of the Bureau of Public Roads, and Mr. Gridwell, staff assistant.

Mr. FALLON. May we also welcome you gentlemen, along with Mr. Martin.

Mr. MARTIN. I am Clarence D. Martin, Jr., Under Secretary of Commerce for Transportation. I am here to talk with you about the proposed Highway Act of 1962.

President Kennedy, on April 5, sent to the Congress his special message on transportation. In that message, he established this policy:

The basic objective of our Nation's transportation system must be to assure the availability of the fast, safe, and economical transportation services needed in a growing and changing economy to move people and goods, without waste or discrimination, in response to private and public demands at the lowest cost consistent with health, convenience, national security, and other broad public objectives.

The Department of Commerce was proud to participate in the formulation of that policy and President Kennedy's message on transportation.

We believe it is the most comprehensive transportation planning and action program ever proposed by a President to the Congress and the people.

The real key to the success of this national policy and its ultimate benefit to the public can be realized only if each phase is considered in the same spirit of cooperation and coordination which guided the entire message.

One of the reasons our national transportation system is burdened with pressing problems is the patchwork way all levels of government have administered, promoted, and regulated the various modes and facilities over a long period of years.

As a result, we believe the members of the subcommittee will approach their present task with the determination that their decisions will serve not only one phase of the Federal-aid highway program, but also will meet other broad public objectives.

With this cooperative and coordinated approach in mind, I would like to comment upon the principal provisions of the legislation you are considering.

Each of the three bills, H.R. 9725 by Mr. Fallon, H.R. 9848 by Mr. Scherer, and H.R. 11199 by Mr. Buckley, contain authorization provisions for the fiscal years 1964 and 1965 for the Federal-aid primary and secondary highways and their urban extensions (the A-B-C program).

All three bills propose an authorization level of \$950 million for 1964, a \$25 million increase over the 1962 and 1963 authorizations. Mr. Buckley, who introduced his bill in behalf of the administration, and Mr. Scherer propose maintaining that \$950 million level for fiscal year 1965. Mr. Fallon's bill would increase it to \$975 million for 1965.

President Kennedy last year committed this administration to recommended increases in the A-B-C program until a level of \$1 billion a year is reached. This was in recognition of the congressional intent to maintain a balance between the interstate and A-B-C programs. The President, however, recommended that the increases be in increments of \$25 million every 2 years. This continues to be the firm policy of the administration. The Congress recognized the wisdom of this policy in its previous A-B-C authorizations of \$925 million for each of the 2 years, 1962 and 1963.

I would like to comment now on some of the additional provisions of Mr. Buckley's bill. Mr. Fallon's bill, of course, was introduced before President Kennedy's transportation message to the Congress and before the administration's legislative program was finally established.

In addition to the proposed A-B-C program authorizations, H.R. 11199 also proposes increased authorizations for forest and public land development roads and trails. These programs are administered by departments and agencies other than the Commerce Department.

More than a year ago, President Kennedy recommended that the Congress adopt a method of assisting families and businesses forced to move because of the Federal-aid highway program. In his recent transportation message, the President said:

The need for such assistance to alleviate unnecessary hardships is still urgent.

The Bureau of Public Roads estimates that about 15,000 families and 1,500 businesses will be displaced annually in the next 6 to 8 years by the interstate program. The estimated total cost for these

years is about \$50 million, a very small percentage of total program costs.

You gentlemen are aware that the principle of relocation assistance is firmly established in the urban renewal program. In addition, the administration is proposing similar assistance be included in a Federal-aid program to help cities solve their mass transportation problems. This legislation, S. 3126, presently is being considered by the Senate Banking and Currency Committee. The proposed program resulted from a joint study conducted by the Department of Commerce and the Housing and Home Finance Agency. In a letter to Secretary Hodges commenting on the study, President Kennedy said:

Many thousands of our citizens, as your report states, must unavoidably surrender their homes and places of business to make way for public transportation improvements. We should not expect them to suffer the heavy personal cost of such public benefits without due recompense and assistance. Where public necessity imposes such sacrifices, it should be accompanied by public concern for the people displaced.

Under the existing law, the Bureau of Public Roads can reimburse the States for right-of-way costs including land and improvements. We believe the payment of relocation assistance is a logical extension of legitimate and equitable right-of-way costs.

Payments for property needed for highway rights-of-way go to the property owners who usually are unwilling sellers. They are forced to vacate their residential or business property at their own expense. A substantial percentage of all property needed for rights-of-way is occupied by families or businesses which rent or lease their quarters. These families and businesses also are forced to relocate, but they receive no payment nor assistance for this publicly required disruption. This is not only a human problem, but a business and economic problem as well.

Many industrial and commercial organizations, particularly small businessmen, do not own the property in which their commercial activity is operated. Forced relocation without recompense is a serious financial drain and may pose a threat to their ability to stay in business.

Seven States, including the home State of the chairman, Mr. Fallon, have recognized this need and passed State statutes requiring relocation assistance. In fact, in the case of Maryland, the maximum assistance payments in most categories are higher than those recommended by the administration.

A variety of other circumstances occur in 11 other States, Puerto Rico, and the District of Columbia in which some form of relocation assistance is or may be paid.

A highway project, unlike an urban renewal project, is linear in nature rather than being concentrated in a compact area. As a result, highway rights-of-way frequently cut across all social and economic levels in relation to residences. The Bureau of Public Roads has no specific figures which would show the number of families who would require relocation assistance in the sense of helping them find decent, safe, and sanitary dwellings at rents or prices within their financial means. It is estimated by the Bureau that the number would be relatively small and generally this would occur within the larger cities. The legislation permits a State highway department to contract with a local public agency to perform this function.

It is within this area that the spirit of cooperation and coordination I mentioned earlier can be meaningfully demonstrated. The Housing and Home Finance Agency already has pledged its fullest cooperation through its housing and urban renewal programs.

The Bureau of Public Roads reports to me that there presently are numerous instances in which highway projects are being coordinated in some degree with urban renewal projects. It must be a great and trying mystery to a family whose residence is taken for a highway project to receive no relocation assistance while his neighbor whose home is taken as part of an urban renewal project is extended the helping hand of his Federal Government.

A highway project is not an isolated Federal-aid activity. It is closely interrelated with the whole economic and social fabric of our communities. Equality of treatment at the hands of the Federal Government demands that assistance to displaced persons and families be incorporated in the Federal-aid highway program now.

President Kennedy, in the portion of his transportation message dealing with urban problems, said this:

To conserve and enhance values in existing urban areas is essential. But at least as important are steps to promote economic efficiency and livability in areas of future development. Our national welfare, therefore, requires the provision of good urban transportation, with the properly balanced use of private vehicles and modern mass transport to help shape as well as serve urban growth.

It is to answer this challenge of our growing urban centers and expanding economy that the administration proposes a new section providing for transportation planning in metropolitan areas.

The Department of Commerce, like the subcommittee, is proud of the Federal-aid highway program and we believe this proposed revision offers the opportunity to enhance that program's contribution to all aspects of metropolitan development.

Planning already is a well-established process in most metropolitan areas. The larger the urban area, the higher the percentage of urban places with a comprehensive and continuing planning process.

In medium-sized and smaller urban places, the percentage with a continuing planning process falls off substantially. Exact figures are difficult to produce because there is no requirement for urban places to report on their planning functions. The Bureau of Public Roads informs me that it frequently has occasion to deal through a State highway department with an area which has an urban plan that is out of date by several years.

Unfortunately, planning is not an exact science and is subject to human concepts of social desirabilities. There sometimes is the failure to recognize that the flexibility provided by automotive transportation has been and will continue to be one of the biggest factors in influencing the economic and physical growth of our cities.

We have found that the Bureau of Public Roads and the State highway departments have a wealth of talent and experience in metropolitan transportation planning.

We believe that it is necessary to contribute this talent and experience so that a cooperative and coordinated program can be most beneficial to our expanding metropolitan areas. In this way, we can be assured that the full benefits of an already proven program will be considered in striving for balanced transportation systems in our cities.

Directly related to the need for improved metropolitan transportation planning is the administration's recommended provisions for financing Federal-aid highway planning and research activities.

As you know, 1½ percent of apportionments are made available to the States for planning and research purposes. There is no requirement, however, that the States match these funds. Moreover, if the State does not wish to program these funds for planning and research projects, the State may utilize them for Federal-aid highway construction purposes. We believe the requirement in H.R. 11199 that the States match the 1½-percent funds and use them only for planning and research is the best way to treat all States equitably and still provide the financing for the needed increases in both planning and research. The administration also believes an additional one-half of 1 percent of A-B-C program apportionments with State matching requirements should be used exclusively for research. Both the existing 1½-percent funds and the additional one-half of 1 percent money would lapse if not used.

The Bureau of Public Roads reported to me just last week that 26 States and the District of Columbia started or programed planning and research projects which will require financing in addition to their 1962 apportionment of 1½-percent funds. Four other States are using all of their 1962 planning and research apportionments and reportedly could use more.

Yet, we find that in 1960, 11 States, and in 1961, 13 States diverted planning and research money to construction.

A year ago, the General Accounting Office reviewed the planning and research functions of the Federal-aid highway program. The Comptroller General reported to the Congress and said in part:

Certain State highway departments are not using available Federal research funds to conduct necessary highway research. In consideration of the findings of highway research authorities as to the urgent need for more extensive highway research, it is important that means be developed for obtaining a greater research effort by the States.

The Comptroller General also reported:

We believe that all States have a responsibility to share in the highway research program in proportion to their resources and requirements. The failure of some States to utilize the available HPS funds for research indicates that those States may be advancing construction at the expense of research. Also, to the extent that such research benefits all States, relative disproportion among the States in the use of HPS funds for research may be inequitable to those States that have an aggressive research program.

The provisions of H.R. 11199 pertaining to planning and research funds very largely are the same as those recommended to the Congress by the Comptroller General.

Research is not an expense. It is an investment. It has been demonstrated time after time that the benefits of research in both industry and Government more than offset costs. The results sometimes are spectacular, not only in financial terms, but also in public benefits.

It is for these stated reasons that we believe the provisions of H.R. 11199 represent the minimum requirements needed now to produce the maximum public benefit and to insure that the Federal-aid highway program continues to maintain its logical and proper place in the vast national transportation network.

Thank you.

Mr. FALLON. Thank you, Mr. Martin.

Are there any questions to my right?

Mr. THOMPSON. Mr. Chairman, I would like to congratulate Mr. Martin on his very brief and most concise statement. Over the years I have been trying to see in our program that we have the type of thing recommended here, namely, relocation costs for people in urban areas. There is a human element here and this should be taken into account in our considerations. Your point is well taken.

I happened to be with the Highway Department of the State of Louisiana in the thirties, when the old HWPS was in being. It was the first alphabetical organization in our State. It was called the statewide highway planning survey. It certainly paid for itself even back in those days, and now I think we need highway research funds even more, and I think the States will be happy to match it.

I want to congratulate you on your statement.

Mr. MARTIN. Thank you.

Mr. EDMONDSON. Mr. Chairman.

Mr. FALLON. Mr. Edmondson.

Mr. EDMONDSON. I feel the same way the gentleman from Louisiana does about relocation assistance to families that are feeling the impact of our road program. Certainly I want to commend the spokesman for the administration for standing by your course on that score, and supporting it strongly.

I would like to be sure in my own mind about the impact of the language on research funds. Do I understand correctly that if a State has allocated funds for research under this proposed section and uses a portion of the research funds for construction, that this would affect their apportionment of funds available in the future? Is that correct or not?

Mr. MARTIN. They would have to use the money for research. They could not then use it for construction purposes. If they did not use it for research it would just lapse and would not go back in the fund.

Mr. EDMONDSON. As I understood this term "research," it was a fairly broad term that could include planning and engineering items, as well as what would be termed a pure research undertaking. Is that correct?

Mr. MARTIN. Well, in the planning I think there would be an overlap there and it would not have to be pure research. It could be planning and engineering.

Mr. WHITTON. The half of 1 percent we are asking for would be for research only.

Mr. MARTIN. That is right.

Mr. WHITTON. The 1½ percent that is now available, or now in the law, is for planning and research, and can go either way.

Mr. MARTIN. The additional money is for research.

Mr. EDMONDSON. I would like to nail down just for my own understanding, as well as for the record, what you mean by research in connection with this one-half of 1 percent. The term which is in here is just plain highway research purposes. Would a study made to determine the best way to handle a river crossing problem out here on the Potomac, for example, be considered research, or would it be considered planning?

Mr. MARTIN. I should think if it was a study in the area you described I would say it would qualify as research.

Mr. EDMONDSON. Would a study undertaken to figure out the best way to get ABC traffic through a heavy residential area be considered a research item, or would it be considered a planning and engineering item?

Mr. MARTIN. I think it would have planning to it, and engineering to it, and if it had the effect you just described to study a new method of approach, it would be research. There is an overlap here.

Mr. EDMONDSON. I am trying to pin down for my own information and for the aid of the highway departments back in the States, if possible, just what can legitimately be spent as a research item under your proposal here on the one-half of 1 percent. I assume that any tests that were undertaken to determine the relative merits of materials being used——

Mr. MARTIN. That would be research.

Mr. EDMONDSON. Would be classified as clearly a research item?

Mr. MARTIN. That is right.

Mr. EDMONDSON. If a stretch of road were constructed with some experimental materials, would that be considered a legitimate research expenditure or not?

Mr. MARTIN. I would think it would be. I would think any valid experimental work that was done in the area of testing new materials and new methods for handling traffic, and anything to do with construction that would serve a reasonable and valid purpose, would certainly qualify as research. I am sure it would meet with the Bureau of Public Roads approval.

Mr. WHITTON. The new job we just completed out at Ottawa is a research project involving \$2 million. That test road was a research project. Many States now have those kinds of smaller projects going on that are research projects. Anything we do to find new or better ways to build or maintain roads, or design roads, can be classified as research.

Mr. EDMONDSON. That helps me considerably in my understanding of this question. I just wanted to nail down pretty firmly the possibility that the State does not have to spend this research money money hiring outside physicists or mechanical engineers, or scientists, to do strictly laboratory-type work. It can be spent in practical construction types of experiments.

Mr. WHITTON. Very definitely.

Mr. EDMONDSON. That will not only serve a study purpose, but also leave some permanent improvement behind them when they do it. That is clearly your view on this?

Mr. MARTIN. And the projects involved in the expenditure of funds must have the Bureau of Public Roads' approval, so there is some approval in coordination and in correlation with what they are doing, or it would not qualify for the money.

Mr. EDMONDSON. Let me present this picture to you: Suppose the State of Arkansas and the State of Oklahoma both wanted to test some new materials on a road and suppose Arkansas got in with their research project 30 days before Oklahoma submitted theirs, but had not started the actual construction of it. Would the fact that Arkansas had a project of this type going prevent Oklahoma from having a similar research project in Oklahoma?

Mr. MARTIN. I would not think so.

Mr. WHITTON. Not if there was a variation in the soil conditions, which there naturally would be. But at the same time we would see

no need of duplicating completely the work in a couple of States. That is the advantage of having the Bureau looking at and approving the whole picture so as to coordinate the work of the States and get as much in the way of results for the money spent as possible.

Mr. EDMONDSON. In other words, Mr. Whitton, and I am very glad to hear you say it, there is a real advantage to the State and to the Federal Government to have some central direction of this research program.

Mr. WHITTON. Yes, sir.

Mr. EDMONDSON. And some clearinghouse in which you could get together what is being done in the different States in a research way and prevent an overlapping, and prevent inconsistencies in that program.

Mr. WHITTON. Very definitely so. We are now tabulating all of the research projects going on in the United States in order to find out what is going on, and in order to prevent overlap and duplication where not necessary.

Mr. EDMONDSON. I certainly am in wholehearted agreement with that plan, and I hope in time we can bring you to see the problem with equal wisdom, and have it in our training program.

Mr. THOMPSON. Will the gentleman yield?

Mr. EDMONDSON. Yes.

Mr. THOMPSON. I might ask the Secretary in connection with the questions being asked by Mr. Edmondson, suppose the State highway department carries on a regular laboratory operation. Most of them, but not all, do. Then let us say a special project were undertaken on testing materials, and one thing and another, for these highways, with their regularly employed help. Would this then be a refundable item to their regular highway fund? Could this be refunded from this research fund or allocation?

Mr. MARTIN. I should think that the portion of the work they are doing that is directly attributable to research would be able to be refunded out of the research moneys.

Mr. WHITTON. That project would be established and be approved, and then the work done in the laboratory, or the portion of it done in the laboratory that is applicable to that particular project could be charged to the research fund.

Mr. THOMPSON. Even though it were done with regular personnel?

Mr. WHITTON. Oh, sure. Absolutely. With regular personnel.

Mr. THOMPSON. It would present a problem. I remember in some cases where they had to go and hire outside laboratories to do special work in order to obtain payment to meet the costs, and I can see where that is an unsatisfactory thing. I do want to say this: In the last year and a half the Bureau of Public Roads and our State highway department have worked closer together than I have ever seen them work, and I want to congratulate you, Mr. Whitton, on that.

Mr. WHITTON. Thank you, sir.

Mr. FALLON. Mr. Scherer.

Mr. SCHERER. Mr. Secretary, you, of course, are aware of the fact that this committee has recently established a subcommittee under the chairmanship of Clifford Davis, with a highly competent staff, to make a study in depth of what reimbursements should be made, and what damages should be paid by the Federal Government in land takings by all agencies of the Federal Government. You are aware of that, are you not?

Mr. MARTIN. Yes, sir.

Mr. SCHERER. Do you not think it would be advisable to wait until that subcommittee has completed its studies, because it is considering the very provisions you recommend in this legislation; namely, what reimbursements, if any, should be made to families or businesses that must be relocated because of the acquisition of rights-of-way? It is one of the very subjects that this subcommittee is studying, along with land takings for all agencies of the Government. Don't you think we should wait until that subcommittee has had an opportunity to study this?

Mr. MARTIN. Mr. Scherer, I think the committee is to be commended for undertaking that study. Undoubtedly it is encompassing a whole wide area of land acquisition, but the problem we are describing is a problem we have now. It is here, and the people are being put out, and we do have other Federal programs which do render assistance to them. We know we have this problem, so why not do something about it? We think we should do it.

Mr. SCHERER. You are aware of the testimony of the State highway officials that this problem is not as greivous as you represent it to be, and that they are doing a pretty good job in relocating families with very little inconvenience, except in a few instances. That is the testimony before this committee by the people who are handling this problem.

Mr. MARTIN. Yes, sir. I am sure that the problem varies from State to State and from area to area, but we are aware of a lot of inconvenience and distress on the part of a lot of people in the program.

Mr. SCHERER. There is evidence that that is not universally true. I am not saying it does not exist in one or two places in the United States, but the evidence is that State highway officials, as long as they are given enough leadtime, have been able to handle this relocation problem rather successfully.

Mr. MARTIN. Everybody we have talked with—I won't say everybody, but it has been brought to our attention by many responsible officials, both at the State and local level, that it very definitely is a problem and they wish the Federal Government would do something about it.

Mr. FALLON. Will the gentleman yield?

Mr. SCHERER. Yes; on that subject.

Mr. FALLON. On this subject, Mr. Secretary, in your statement you say that the State of Maryland's maximum assistance payments in most categories are higher than those proposed by the administration. I do not know whether that is complimentary or not, but I do think that the special subcommittee set up by this committee should look into these areas where apparently the State of Maryland is paying too much as compared to the recommendations of the administration. I think the subcommittee should look into that phase.

Mr. MARTIN. I certainly do not think that the suggested recommendation of the administration, which is up to \$200 per family and up to \$3,000 in the case of a business—

Mr. FALLON. The fact that it is higher than the administration's recommendation I think is something for the special subcommittee to look into.

Mr. SCHERER. The payments would come from the trust fund, would they not?

Mr. MARTIN. Yes, sir.

Mr. SCHERER. And to the extent that these payments are made from the trust fund we would be able to build less road mileage. Is that true?

Mr. MARTIN. I think that is understandable, Mr. Scherer, that some construction people and highway people who are short of money to go ahead with their program are suspicious that there might be a diversion of dollars to go into this program, and I think that is the principal opposition to this.

Mr. SCHERER. You are aware of the many months of labor that have been put in by the Ways and Means Committee, and to some extent by this committee, in getting a trust fund that would meet the demands of highway construction?

Mr. MARTIN. Yes, sir.

Mr. SCHERER. And we have just about settled that problem now, haven't we? We are looking forward to possibly completing this Interstate System on schedule.

Mr. MARTIN. Yes, sir.

Mr. SCHERER. At present construction levels.

Mr. MARTIN. Yes, sir.

Mr. SCHERER. Don't you think that making these new demands on the trust fund and requiring these additional costs to be paid from the trust fund might upset that time schedule?

Mr. MARTIN. No, sir. I well recall the estimates and "guesstimates" on the revenues that would be paid into the fund under various tax schedules. We could be a little under or a little bit over, but when you measure a program that costs in the neighborhood of \$2 billion a year, and, as a matter of fact, this program could cost \$40 million, or \$60 million, or \$30 million, then I don't think it would have any significant diminishing effect on the completion of the overall program.

Mr. SCHERER. But if we do have further inflation, as it seems there will be, then we would have to increase the revenues in the trust fund, would we not, even to complete the highway program?

Mr. MARTIN. I think we want to complete the program on time and we want the revenues there to build it. Yes, sir.

Mr. SCHERER. But just a little increase in construction costs and land acquisition costs would mean we would have to go back and ask those who are paying for this program for additional taxes to complete it, would we not?

Mr. MARTIN. Not necessarily. I don't think you can calculate it that close. I do not think this program is going to cost that much.

Mr. SCHERER. Well, our whole experience has been that we have not had a sufficient amount of money to keep up with the increased costs of this program. Hasn't that been the experience?

Mr. MARTIN. I am under the impression that construction costs have been relatively stable in the last few years.

Mr. WHITTON. In the last 2 to 3 years. Yes.

Mr. SCHERER. Yes; they have. Construction costs have, but land acquisition costs have been going up, have they not?

Mr. MARTIN. They probably have.

Mr. SCHERER. And if we have any type of inflation, especially with this unconscionable expending of Federal funds we have been engaged in, we are going to have further inflation, are we not?

Mr. MARTIN. I don't know what you are referring to, Mr. Scherer, but I wouldn't say this was at all inflationary.

Mr. SCHERER. I don't say this is inflationary, but what I am saying is——

Mr. MARTIN. We already pay out funds to relocate light poles and utility lines. It seems to me it is ridiculous to say we cannot be concerned with the relocation of some people.

Mr. SCHERER. I am not saying we should not be concerned with it, but what I am trying to point out is, that this committee has undertaken a study in depth of this very problem of trying to arrive at a fair and equitable solution in dealing with all people who are involved in land takings by all agencies of the Federal Government.

Mr. MARTIN. I would say this was very minimal.

Mr. SCHERER. At the beginning it is minimal. It is like all programs—they grow like Topsy.

Mr. MARTIN. Yes, sir.

Mr. EDMONDSON. Will the gentleman yield for a question with regard to the study that he has been talking about? Was any study made of the impact of the utility relocation costs before that was written into the bill, that you are aware of?

Mr. MARTIN. I can't answer that.

Mr. EDMONDSON. Before we provided authority in the bill to pay the costs of relocation of utilities?

Mr. MARTIN. I would assume you had some basis to go on. I am not aware of that.

Mr. EDMONDSON. There was no special study of the probable or expected costs that took place, to my knowledge. If the gentleman knows of any, I would like to know of it.

Mr. SCHERER. I don't know of any special study either, but the fact is that we are making such a study of the problem at hand at this time by this committee under Mr. Davis.

Mr. EDMONDSON. It is a study aimed at the overall picture of land-taking and condemnation procedures.

Mr. SCHERER. And proper reimbursement for such costs are these, and what constitutes proper damages to be paid by the Federal Government.

Mr. EDMONDSON. I would say if we are going to suspend all land-taking while this goes on we might as well stop all Federal programs at this time.

Mr. SCHERER. Who says we should stop all landtakings?

Mr. EDMONDSON. I see no reason for stopping legislating on the matter of helping people by paying relocation costs simply because a study is going on covering the overall aspects of landtaking.

Mr. SCHERER. It is obvious that the study might conclude that this is not the best way to handle it. Especially when compared to land-takings by other agencies and involving other activities of the Federal Government.

Mr. EDMONDSON. Maybe we ought to stop payments to the utilities if we are studying it then. If you are going to put the shoe on one foot you might as well put it on the other. Why not stop making payments of any kind until we complete the study?

Mr. CRAMER. As I recall it, there was an extensive study made in 1955 by the Bureau of Public Roads on relocation costs to utilities, and it was based on the fact that legislation was considered. There has been no similar study made with regard to relocation costs in this much greater and larger cost area, comparable to the one made in the case of the utility relocations. Isn't that correct?

Mr. EDMONDSON. The gentleman's recollection is certainly beyond that of any member of our staff, or of the gentleman from Oklahoma, with regard to a study, an exhaustive study, directed at the relocation of private utilities.

Mr. CRAMER. That is correct. In 1955 the Bureau of Public Roads made such a study.

Mr. EDMONDSON. That is not a congressional committee study, which is what the gentleman is proposing that we have in advance of crossing this other bridge.

Mr. SCHERER. No, I am talking about something which is in existence now, a subcommittee created by this committee. It is an existing subcommittee now making the study. Do you want to upset that study by jumping the gun?

Mr. EDMONDSON. As a member of the subcommittee making that study, I would certainly like to see it completed, but maybe the gentleman would like the Government to stop all land dealings until that subcommittee completes it.

Mr. BALDWIN. Mr. Chairman.

Mr. FALLON. Mr. Baldwin.

Mr. BALDWIN. On page 5 of H.R. 11199, where it defines "relocation costs for displaced families and businesses," on line 10 of that page, it says:

or \$3,000 (or if greater, the total certified actual moving expenses) in the case of a business concern or nonprofit organization.

I am having difficulty in figuring out what the purpose of the \$3,000 is. How, in any way, the way this is worded, will the \$3,000 figure add or detract to the impact of this bill?

Mr. MARTIN. The words in parentheses, "or if greater, the total certified actual moving expenses," would refer to a situation where a substantial larger business would move—\$3,000 is the normal maximum figure.

Mr. BALDWIN. Suppose a small business moved and it certified its moving expenses where only \$2,000. Would you pay them \$3,000?

Mr. MARTIN. That is all that would be paid.

Mr. BALDWIN. What?

Mr. MARTIN. \$2,000.

Mr. BALDWIN. Then what does the \$3,000 do in this bill?

Mr. MARTIN. I think it is a maximum figure. Mr. Whitton says this was copied exactly out of the HHFA bill.

Mr. BALDWIN. The what?

Mr. MARTIN. The urban renewal.

Mr. BALDWIN. That does not mean anything.

Mr. MARTIN. No, sir.

Mr. BALDWIN. I would like to ask what does this \$3,000 add that would not be provided for in this bill if the \$3,000 were not in there and if only the provision of the total certified actual moving expenses were in there?

Mr. EDMONDSON. Will the gentleman yield?

Mr. BALDWIN. No. I want him to answer that question.

Mr. MARTIN. The question is valid and I would like to supply the answer for the clarification of the committee on that. I am a little bit puzzled myself.

Mr. BALDWIN. I would appreciate a clarification. I don't think the \$3,000 has any meaning.

Mr. MARTIN. I see the point you make. I would interpret the \$3,000 as the normal maximum, but, as you say, if it were \$2,000 what is the \$3,000 doing there?

Mr. BALDWIN. Could you provide us with a clarification for the record?

Mr. MARTIN. Yes, sir.

Mr. BALDWIN. Thank you.

I will yield to the gentleman.

Mr. EDMONDSON. No questions.

Mr. FALLON. Mr. Cramer.

Mr. CRAMER. I am sorry I did not get in earlier, Mr. Chairman, but I have read your statement, Mr. Martin.

How did you come to the estimate of \$50 million as the cost of this? You say it would come to about \$50 million for the relocation. Where did those figures come from?

Mr. MARTIN. From the Bureau of Public Roads. That was the best estimate.

Mr. CRAMER. How did the Bureau of Public Roads come to that figure?

Mr. WHITTON. We based that on our previous experience in urban areas of a number of houses that we would ordinarily hit on a mile of road and a number of businesses. It is a rough estimate.

Mr. CRAMER. Some States under their laws pay relocation and others don't. Isn't that right?

Mr. WHITTON. Yes. A few States do.

Mr. CRAMER. How could you estimate what the costs were throughout the country when your experience is based on what some States do and some States don't?

Mr. WHITTON. We used urban renewal figures on it.

Mr. CRAMER. You estimate there would be about 15,000 families. Has there been any survey submitted on the part of the States within the urban area or otherwise, as to how many houses will be involved in completing the Interstate System?

Mr. WHITTON. We just used our estimate as to what has gone before, to estimate what would be in the future.

Mr. CRAMER. Don't you think the logical approach would be for the Congress to know what the costs will be? I personally feel the cost will be very substantially in excess of this \$50 million estimate as related to the total cost of the program. I feel the relocation costs will be substantially greater than that estimated here. That is what disturbs me. I would like for the Bureau of Public Roads to request the information from the States as to what the relocation costs would be and whether the States under their present condemnation laws pay it or do not pay it, and what the costs would be if it were paid, estimating by the States the number of houses and businesses that would be involved in relocations on the Interstate System.

Wouldn't that be about the only approach that could be made to get a sound estimate?

Mr. WHITTON. No, sir; I doubt that it would be a more accurate estimate than we have prepared. We have prepared what I think would be a reasonable estimate of what it would cost, Mr. Cramer.

Mr. CRAMER. What is the percentage cost, Federal and State? Is it 90-10 in this, as on the rest?

Mr. WHITTON. On the interstate it would be. Yes.

Mr. CRAMER. The \$50 million estimate does not include the A-B-C system costs, does it? Your statement says that the estimated cost on the Interstate System for relocation would be about \$50 million.

Mr. WHITTON. Yes.

Mr. CRAMER. Is there any estimate made as to the cost on the A-B-C system? The proposed legislation provides——

Mr. WHITTON. Of course, the A-B-C system does not run nearly as great a mileage as the Interstate System in urban areas.

Mr. CRAMER. But it is obviously going to cost some money. It is included in the legislation that we pay for A B C as well as Interstate System relocation reimbursements.

Mr. WHITTON. Yes.

Mr. SCHERER. And those families are hurt just as bad.

Mr. CRAMER. They may be worse off.

Mr. SCHERER. If we are going to try for one we should try for all.

Mr. CRAMER. It is obvious the legislation includes them both.

Mr. WHITTON. Surely.

Mr. CRAMER. And, therefore, I cannot understand why the cost of both is not included.

Mr. SCHERER. Would you ask them to include the States contribution, too?

Mr. CRAMER. Would the gentleman answer that question?

Mr. WHITTON. I didn't hear it.

Mr. CRAMER. Does the \$50 million include the Federal cost or the State cost as well?

Mr. WHITTON. That is Federal cost, I think.

Mr. CRAMER. So if that figure is correct you will add 10 percent for the State cost?

Mr. WHITTON. Yes.

Mr. CRAMER. And on the A-B-C system you have to add 50 percent for the State cost.

Mr. WHITTON. It would not be 50 percent of \$50 million, but 50 percent of whatever it was.

Mr. CRAMER. Let us assume it was half that much.

Mr. WHITTON. I don't want to assume that. I don't think it would be.

Mr. CRAMER. What would you estimate it would be?

Mr. WHITTON. Oh, possibly \$20 million.

Mr. CRAMER. All right. So the Federal Government would have to put up another \$20 million, which brings the total to \$70 million, and using the rough estimate basis that was used, you add to that for the \$20 million an equal amount of \$20 million for the States, and that brings it up to \$90 million, and you add \$5 million more, which is 10 percent of the \$50 million, which makes \$95 million. So it is almost a \$100 million additional expenditure program, is it not? Isn't that a reasonable estimate?

Mr. WHITTON. I think those figures are high.

Mr. CRAMER. If you don't like my figures, I wish you would provide me with others. That is what I am trying to get—a reasonable estimate of the figures. I am trying to evaluate it based on the information that the Bureau of Public Roads is making available, and the Department of Commerce is making available. If you have a better estimate, I would like to have it.

Isn't \$100 million as reasonable an estimate as can be made?

Mr. WHITTON. \$50 million on the Interstate System is our estimate of that moving. I suggest that \$20 million would be perhaps a reasonable estimate on the A B C. I would not vouch for \$20 million. It might be \$10 million or \$15 million.

Mr. CRAMER. It might be \$30 million.

Mr. WHITTON. I don't think it would be that high. Certainly \$20 million is the top. I would rather shoot at \$15 million.

Mr. CRAMER. Let us take \$15 million. So you have \$50 million for the Interstate System, plus \$5 million for the State and local contribution of their 10 percent, which makes it \$55 million.

Mr. WHITTON. Wait a minute. The \$15 million I think would be the total costs, and half of it would be Federal and half State.

Mr. CRAMER. Just a minute. You do not mean to say that you think the total cost of relocation on the A-B-C system would be \$7½ million?

Mr. WHITTON. No. The total cost would be \$15 million.

Mr. CRAMER. For Federal?

Mr. WHITTON. No; \$15 million total just the same as \$50 million or \$55 million is the total on the Interstate System.

Mr. CRAMER. You say you think that the total cost of relocation would be \$7½ million for the A-B-C system?

Mr. WHITTON. I think the total we can just express an opinion on.

Mr. BUCKLEY. Will the gentleman yield?

Mr. FALLON. Will the gentleman yield to the chairman?

Mr. CRAMER. Yes.

Mr. BUCKLEY. How much is the Federal Government paying for the relocation of utilities?

Mr. CRAMER. I am sure Mr. Whitton can answer that.

Mr. WHITTON. I can get the answer for you.

Mr. BUCKLEY. Is it more than \$50 million?

Mr. WHITTON. I don't know.

Mr. BUCKLEY. I think it is just as much or more important to take into consideration human beings and their personal lives in dealing with the problem of relocation. They did not ask to be displaced. These highways have been laid out by the States and approved by the Federal Government. These tenants are put out of their houses and some provision should be made for them to be relocated, just the same as we relocate the utilities and pay them for it.

I heard Mr. Baldwin talk about three houses on some highway. Mr. Baldwin is a lawyer, and he knows well that they go through condemnation proceedings, and if those three houses are appraised, and, let's say they are probably worth \$25,000 or \$30,000 apiece, then those tenants or owners of the houses will probably buy those houses back for \$1,000 apiece and build a foundation for them and move the house on it, and probably make \$20,000 on the deal.

Mr. CRAMER. And we should now pay for the relocation to posterity? Is that the distinction? For these people?

Mr. BUCKLEY. With regard to the relocation of tenants, through no fault of their own a highway is being put through a section where apartment houses are being torn down. Do you want to throw these human beings out into the street and not reimburse them?

Mr. SCHERER. Not that bad.

Mr. BUCKLEY. Not that bad? You don't live in New York. I know you come from a small town where there probably aren't any houses.

Mr. CRAMER. With regard to the present and existing State laws concerning relocation, some of which include that of condemnation costs in eminent domain and some of which do not, this would in effect necessitate all States including that in their eminent domain proceedings, would it not, in determining the value of the property taken? And the relocation would be part of the costs and, therefore, the States would be forced in their total highway program to include that in the costs, thus increasing the States' share as well, even though the State laws didn't require it.

Mr. MARTIN. I don't think I got the full beginning of your question there, Mr. Cramer.

Mr. CRAMER. It is true, is it not, that some States include the relocation costs in eminent domain, and others do not?

Mr. MARTIN. Yes.

Mr. CRAMER. Does Mr. Whitton know it?

Mr. WHITTON. No, I do not know the answer to your question.

Mr. CRAMER. I think it is true if there are any they are very few, and this would force the State to include this as a cost of acquiring right-of-way, would it not?

Mr. WHITTON. I don't know. I do not necessarily think so.

Mr. CRAMER. The effect of it would be that the cost of relocation would be included in the cost of acquisition of right-of-way, would it not?

Mr. WHITTON. But not necessarily in the condemnation of the right-of-way.

Mr. CRAMER. The total cost of the right-of-way would be increased by that amount, whether the State wanted it that way or not. Has the Bureau of Public Roads attempted to get an expression from the States with regard to this proposed increase on State participation in relocation costs?

Mr. WHITTON. No.

Mr. CRAMER. Does not the Bureau of Public Roads feel that the logical approach would be to inquire of the road departments of the different States and different commissions, and road boards, and the Governors of the States, as to their attitude concerning this compulsory increase in State matching funds that would result from the increase in Federal matching funds for relocation costs? Do not the States have a right to have something to say about this?

Mr. WHITTON. I believe they have spoken to this committee.

Mr. SCHERER. The American Association of State Highway Officials proposed that.

Mr. CRAMER. That is where I got it. The Bureau of Public Roads itself did not attempt to find out the States' position before proposing this legislation. Is that right?

Mr. WHITTON. That is correct.

Mr. CRAMER. On the relocation of the utilities I have in my hand House Document No. 127, for the information of the gentleman from Oklahoma; dated April 13, 1955, a communication from the President of the United States entitled "Public Utility Relocation Incident to Highway Improvement," a communication from the President of the

United States pursuant to the Federal-Aid Highway Act of 1954, which is a report and study that I was referring to. It is obvious there has been no similar study made with regard to relocation as a basis for the consideration of this particular legislation, and I think it is best evidenced by the answers given to the questions asked.

Mr. EDMONDSON. If the gentleman will yield again, I am not aware that there has been any request for such a study. The study that has been mentioned before the gentleman came into the room was a study by a congressional committee.

Mr. CRAMER. I understand that.

Mr. EDMONDSON. In which the Bureau of Public Roads has no direct responsibility at all. The gentleman is talking about an administrative study and I have heard no mention or suggestion that there be an administrative study of this problem. The proposal has been made that we hold up doing anything legislatively until a legislative committee completes a study it is making. The gentleman is running on one track while his colleagues are running on another.

Mr. CRAMER. I think we ought to run the train on both tracks and get to the end of it, which is the result as to what the costs will be. Whether it is a congressional committee or an Executive study makes no difference to me, but somehow we ought to know what the total costs will be. We do not have any information on it now.

The gentleman will agree to that point. No study has been made.

Mr. EDMONDSON. I will agree to this: We have not completed the legislative study. There has been a good deal of data collected by the legislative committee on this question and it is available to the entire committee, to anybody who wants to take advantage of it; but as to whether it represents conclusions, the gentleman knows as well as I do that the subcommittee is a long way removed from conclusions on this subject. But we were not foreclosed by the conclusions of the study that the gentleman holds in his hand from any action on the part of Congress.

Mr. CRAMER. The point is, this study helped the committee make its decision on whether to reimburse utilities for relocations of their right-of-way, because we knew what the costs would be. We have no way of knowing what the costs will be on this relocation proposal.

The position taken by the gentleman from Ohio is, and I agree, that somewhere we should have made available this information—whether it be through the subcommittee that the full Public Works Committee established to do it, or an Executive study. They have not even asked the State road boards about their attitude to having to put up this much more State matching funds in order to accomplish payment of relocation costs.

Mr. EDMONDSON. The gentleman made an eloquent lawyer's re-statement of the position taken by his colleague, which was way out and up another field from the stand he has taken now, which is that we hold up doing anything on this until the Davis subcommittee completes its study and makes its recommendations.

Mr. SCHERER. That is right. That is my position and your committee should study the question of utility relocation costs. It comes within the purview of your committee, if you want to study it.

Mr. EDMONDSON. I do not have any complaint with this study being carried to its complete conclusion, but I do have definite objections to the holding up of doing something constructive in the field

now and for a long time, while this subcommittee completes the study that has been going on for 2 years now.

Mr. CRAMER. If the gentleman from Oklahoma's subcommittee on which he serves will be so dilatory that they do not come in in a timely fashion and make a report to this subcommittee or the full committee, I have no objection to the Bureau of Public Roads of the Department of Commerce coming up with facts and figures on it. However, I do think we should know what the facts and figures are before we launch into what could easily be a \$100 million program, and probably will be far in excess of that.

Mr. SCHERER. It will be more than \$100 million. Let's not kid ourselves.

Mr. EDMONDSON. Do you know right now what utility relocation is costing us annually?

Mr. CRAMER. I have asked the Bureau of Public Roads what they are and the Administrator can't tell us. I don't know why you expect me to do it.

Mr. EDMONDSON. The gentleman placed great reliance on the work he has in his hands on utility relocation, and I am asking him to tell me within \$10 million what it costs to relocate utilities annually.

Mr. CRAMER. Here is the figure.

Mr. EDMONDSON. I am talking about present costs.

Mr. CRAMER. If you want to be so smart about it, ask the witness. He is the Administrator of the Bureau of Public Roads. Ask him what the costs are. Isn't he the chief authority on this question? If he cannot tell you what the costs are I can tell you what the report indicated the total costs would be.

Mr. EDMONDSON. The question is what is the cost, without reading it in the report. What is the cost to us now?

Mr. CRAMER. Here it is. Total estimate, \$650 million, total share. This is according to the appendix on page 24. That is the best estimate I know. If Mr. Whitton can't give it to you I don't know how you expect me to do it.

Mr. SCHERER. Do you know what the utility relocation costs would be if all States reimbursed? How many States reimburse for utilities?

Mr. WHITTON. May I give you that answer for the record?

Mr. SCHERER. A small number, is it not?

Mr. WHITTON. A rather small number.

Mr. SCHERER. And this is the figure of what it would cost the program if all States reimbursed for utility relocations, and I understand it's only a handful of States that provide it.

Mr. WHITTON. I can furnish what it is. I don't know it in my mind.

Mr. SCHERER. It is not any more than four or five States, is it, Mr. Whitton?

Mr. WHITTON. I think perhaps there are, but I am just guessing.

Mr. FALLON. We will get those figures for the record.

Mr. MARTIN. I am sorry we do not have the figures for the A-B-C portion. As Mr. Whitton indicated for the committee, our best estimate, which was gone into very carefully, for the Interstate System program, is \$50 million, and I think he was correct in saying a guesstimate on the A-B-C figure would be about \$15 million. But we will supply to the committee shortly what the A-B-C portion is.

I gather that was the main question Mr. Cramer asked, that is,

what did the A-B-C part of that cost come to. This \$50 million is only on the Interstate System, because that will be the area where the largest cost would be.

Mr. CRAMER. I would trust in making that estimate, some consultation will be made with the States.

Mr. MARTIN. There is no question about it. They have been in contact with States on that matter before, and they know this problem. This whole business is administered through the States, so, how could they be coming up with anything unless they consulted with the States on it.

Mr. CRAMER. But I asked Mr. Whitton as to whether he had asked the States themselves to submit an estimate on the cost of the relocation of the Interstate System, and he said no. Obviously no such estimate has been made on the A-B-C system, because there has been no estimate given, and I don't know how you can estimate unless you go back to the States and ask them for the facts and figures, which is exactly the way you got the estimate for the cost of the total program.

Mr. MARTIN. I will be very surprised if there has not been consultation with the States as to what the costs will be. We have to start someplace to make the basis for the estimate.

Mr. CRAMER. I hope we have, but I can only rely on Mr. Whitton's testimony, and he said it was not.

Mr. WHITTON. I said I didn't know, Mr. Cramer.

Mr. MARTIN. And we can supply it to you shortly.

Mr. SCHERER. Can I ask one more question? I want to ask the Secretary, or Mr. Whitton this: Let us assume that a State as the result of condemnation proceedings was required to pay a business, assuming that the business owns its factory, \$15,000. Suppose a jury awards \$15,000 to a business, for the reasonable market value of the property under State condemnation proceedings. Do I understand then that if its moving costs were \$3,500, that the State would be required to pay \$3,500 additional moving costs under this legislation?

Mr. MARTIN. Whatever was the certified moving costs, which is what the general provision is, and I noted earlier in reference to somebody's question that we would clarify that as to the \$3,000 figure and what it says in parentheses, "or if greater, the total certified actual moving expenses," will be paid, as indicated on line 10, page 5.

Mr. SCHERER. Whatever its moving costs would be, it would be entitled to that over and above what the State awarded for the reasonable market value of its factory?

Mr. MARTIN. I would assume that is so.

Mr. FALLON. Are there any other questions? Any questions on my right?

Mr. Martin, I would like to ask one question to get back on the road-building program again. You recommend that this sum remain at a \$950 million level for the 2 years. Of course, the theory of recommending a \$950 million level is to keep the program in balance as far as the trust fund is concerned.

Mr. MARTIN. Yes, sir.

Mr. FALLON. Yet, when we go further in your statement this morning you asked for added costs for other things. In 1962-63 it was my recommendation that it remain at \$925 million because there was not enough money in the trust fund and the Interstate System had been

cut back by about 20 percent. So to have added \$25 million a year to the amount taken out would have thrown it out of balance. But since then the financing has been firmed up to a point where this would not interfere with the money in the Interstate System. That was one reason why I have proposed the increased amount. Then, of course, we promised the Members of Congress who do not have any Interstate System in their district—and there are many of them who have the A-B-C program in their districts and that is the only program they have—that attention would be paid to that.

In addition to that, this would add more money to the program because of the States' matching of 50 percent in the 3 years, which would add \$75 million from the States to this program, and therefore would accelerate the program \$75 million. We have been told that we would like to accelerate public works at this time in the country to stop any recession that might come about.

In addition to that, there are many contractors in the country who do not have the facilities to bid on the large Interstate System projects. They have to depend upon the A-B-C projects. This has been a depressed area with regard to these small contractors. This would not only help the small contractors put more money in the program, but it would certainly keep the promise we made to two-thirds of the Members of Congress.

That is my reason for getting back to the acceleration that the 1956 act spelled out.

Mr. MARTIN. Yes, sir. I understand that.

Mr. FALLON. Are there any other questions of Mr. Martin?

If not, thank you very much again, Mr. Martin and Mr. Whitton.

Next we have the Honorable Ben West, mayor of Nashville, Tenn., who is representing the American Municipal Association here this morning.

On behalf of the committee, Mayor West, may I welcome you here and thank you for coming?

STATEMENT OF BEN WEST, MAYOR, NASHVILLE, TENN., REPRESENTING THE AMERICAN MUNICIPAL ASSOCIATION

Mayor West. Thank you, sir. I hope that welcome goes for the other gentlemen on the committee too, having heard the colloquy.

Mr. Chairman and members of the committee, I am Ben West, mayor of Nashville, Tenn. It is my pleasure to appear here today on behalf of the American Municipal Association, which is the national association representing over 13,500 cities, towns, and villages throughout the United States. I am cochairman of the American Municipal Association-American Association of State Highway Officials Joint Committee on Highways and former chairman of the National Committee on Urban Transportation.

The most critical transportation needs in this country are in urban areas. To emphasize this, I want to quote from a publication issued by the Automobile Manufacturers Association dated March 1961 entitled, "Highways for the Future," the end product of a study made by Wilbur Smith & Associates.

Nearly one-half of the Nation's motor travel now occurs on city routes that account for only 10 percent of total highway mileage. This urban travel will more than double over the next two decades, while rural highway travel will increase about 30 percent. By 1980, about 60 percent of the anticipated 1,277 billion yearly vehicle miles of travel will be within expanded urban area limits.

So, three-fifths of over 1¼-trillion-vehicle miles will occur on 10 percent of the total highway mileage in the United States in the urban areas where the big majority of people live. The impact on local governments of such a statement is truly staggering in view of present-day conditions. We have no reason to question this prediction at the present moment. In fact, the prolongation of current traffic trends may make it conservative.

The American Municipal Association favors the enactment of legislation which would increase the available Federal highway funds to be used for planning and research from 1½ to 2 percent and that these funds be used only for planning and research purposes rather than be diverted for construction purposes.

When we speak of a program for developing better municipal transportation plans, transportation should be regarded in its generic sense and not limited to the present-day dominance of the Interstate and Defense Highway System, the terrific impact of which often overshadows the utilization in an efficient manner of modes of transportation other than the rubber-tired vehicle. Transportation can be defined as the movement of people and goods into those areas wherein they want to go, or are needed, in an economical fashion and with a minimum of inconvenience. No good method of transporting people and goods from one place to another with reasonable cost factors has ever been discarded. The pedestrian who desires to walk along a sidewalk at 2 miles per hour is just as essential to the master transportation plans of a community as the automobile at 80 miles per hour and the jet aircraft at 650 miles per hour. A good master transportation plan for any community will include all the best features of every mode, each in its proper place, and each with differentiating functions and services.

To do this requires funds. Urban transportation studies do not come cheap. I can speak on this with firsthand knowledge since the city of Nashville, under my direction, has been conducting for some years now, a continuing transportation planning program. I can assure you that without Federal financial assistance we could not have done this. At the same time, I do not see how we could have functioned without the program.

H.R. 11199 requires the Secretary of Commerce, beginning no later than July 1, 1965, to determine that Federal aid projects in metropolitan areas are part of a comprehensive development plan or be based on the results of a continuing planning process before approving those projects. That portion of the proposal requiring that a continuing planning process be established seems reasonable and not overly restrictive and is supported by our association. That portion requiring that the projects are part of a comprehensive development plan does seem to be unreasonable. Unreasonable in that a comprehensive plan for an area can only be a general guide for development of the area. Even then the plan is not static but needs continual revision as a part of the planning process. We recommend that this requirement be deleted from the bill. In addition, I want to point out that local communities cannot arrive at plans alone. This is particularly so in the smaller communities. Technical assistance, at least at the outset, must come from State and Federal agencies. Long-range programs for State highway improvements in urban areas should be developed and published as soon as possible. Local government personnel

badly need training in transportation planning techniques. H.R. 10909 introduced by Congressman Edmondson to provide a national highway academy would go a long way toward meeting this need and warrants your careful consideration.

Our cities are vitally interested in the Federal-aid primary and secondary highway systems and their extensions in urban areas. We favor the enactment of the provisions in H.R. 9725 calling for increases above present levels of \$25 million annually. While our national municipal policy calls for the completion of the Interstate System on schedule, we do not believe that such increases would seriously hamper reaching this goal. In fact, such increases would delay the completion of the Interstate System by possibly only a short time.

I would like to say a few words about two other items in the bill.

(1) The provisions of section 6(a) which would amend title 23, United States Code regarding secondary highway extensions in urban areas receives our fullest support. Secondary as well as major city streets within the corporate limits of municipalities should be eligible for Federal aid in the same proportion that Federal aid is available for the roads outside cities. The "Metropolitan Area Transportation Study," previously referred to for my city, estimates the cost of properly integrating the local street system into the Interstate System, at \$118 million. This is a financial burden virtually impossible for a local community to assume entirely, but the success of the operation of the Interstate System will depend in very large measure upon the efficiency of local transportation systems. Unfortunately, at the present time, secondary funds cannot be spent on secondary urban extensions, which may now be financed only with Federal-aid urban extension funds. We urge you to give your favorable consideration to this section.

(2) Our national municipal policy recommends that family and business relocation payments should be made available to those displaced by the interstate highway program on the same basis as they are under the urban renewal program. We, therefore, agree with the President's transportation message, which says:

I recommend that assistance and requirements similar to those now applicable to the urban renewal program be authorized for the Federal-aid highway program and the urban mass transportation program.

I can tell you that it is extremely awkward for a mayor to try to explain, when a highway project is adjacent to an urban renewal project, why tenants in the urban renewal area receive relocation payments and tenants in the highway area do not. It seems simple justice that all citizens should be treated alike when they are displaced by Federal-aid projects. The requirement that suitable "equal" housing be certified as being available would not create a problem in Nashville or any other city where Federal urban renewal projects are underway; however, it is conceivable that this might be overly restrictive in some areas.

One other item not included in H.R. 11199 merits your consideration. That is the matter of designation of a Federal-aid urban system. The highway system in each State should constitute a well-integrated long-range plan for the entire State. Such a system should include interstate, primary, and secondary highways in urban areas and such lateral, feeder, distribution, and circumferential routes as may be required to furnish maximum utility to the various State, county, and Federal-aid systems within and adjacent to urban areas.

In developing such a plan and program, consideration should be given to economic and industrial activity, existing and potential traffic needs, and land-use projections. This implies the need for joint planning and long-range programming by all levels of government—municipal, county, State, and Federal. Provisions in H.R. 11199 would make this possible. Also implied is the need for designation of a Federal-aid urban highway system.

This urban system should be selected by State highway officials and appropriate local officials, subject to approval by the Secretary of Commerce. The system should be confined to urban areas except that the system may be extended into rural areas where necessary to connect to another Federal-aid system within the rural area. The system would be in addition to the interstate, primary, and secondary extensions in urban areas and include those urban routes deemed necessary to provide a well constituted circulation plan for the entire urban area.

At the present time it is practically impossible to determine the extent of the need for such a system, what the standards should be, or how the system would be financed. This same conclusion, you may recall, was reached by the Clay Committee in their 1954 report. The reason for this is that reliable data on municipal highway needs simply is not available. The enactment of H.R. 11199 would set the stage for improving this situation. Therefore, we suggest that the Department of Commerce undertake a study and report to Congress within a time period deemed appropriate of the extent of the need for a Federal-aid urban system and how the system could be constructed.

Gentlemen, in 1939, 23 years ago, the text of the Bureau of Public Roads report to Congress, "Toll Roads and Free Roads," clearly stated and emphasized the needs of urban and municipal areas. Then in 1944, the Bureau of Public Roads interregional highways report was submitted to Congress. The report contains this statement:

Now, with the congestion of the transcity routes replacing rural highway mud as the greatest of traffic barriers, emphasis needs to be reversed and the larger expenditures devoted to improvements of the city and metropolitan sections or arterial routes.

Through the years since 1944 steps have been taken to improve the urban highway situation. We are gratified that further constructive steps are being considered here today.

Gentlemen, in addition to my prepared statement, I have heard the foregoing colloquy and perhaps I should fear to rush in here, but we have had a great deal of experience in matters that you gentlemen have been discussing, and in my opinion the alarm expressed by some members about the total cost of moving people is unwarranted.

First of all, whether the State statute provides, or the Federal statute provides, for the cost of moving in connection with an industry, or a business, or a residence, whether owner-occupied or not, never you fear—the jury of view is going to take that into consideration, whether it is in there or not in making the award.

In my opinion the additional expense would be this \$200 per family where they have no lease. In most of the States I would say where there is a lease that has to be condemned and awards have to be made for leases as well as property sold. In my opinion this provision here follows the provision in the urban renewal program.

Some people expressed the opinion that the State highway officials say they have no complaint about it. They have not talked to the local officials if that is so, because the local officials all over this country are trying to explain every day why, why, why. In most of the Interstate System when it is going through the heart of a city the planners try to route it through the so-called gray, soft, deteriorated, or decaying sections of the city, and it is often the case that these highways go right through the middle of urban renewal projects in the very nature of things. Then you get into a situation where you have one local agency taking care of all of the takings, particularly where there is joint taking of property by urban renewal and the highway is taking part of a man's property with the urban renewal taking the rest of it. Then you get to explaining to these folks why is there this distinction, and it becomes very, very difficult, gentlemen, I assure you.

Mr. EDMONDSON. Mr. Chairman.

Mr. FALLON. Mr. Edmondson.

Mr. EDMONDSON. Nashville has made brighter my day twice in the past week. Sunday I had an opportunity to read the 150th anniversary edition of the great newspaper, the Nashville Tennessean, which certainly, as presented to the Capitol and the copies distributed here, is a splendid example of journalistic enterprise in your city. Now you come to us with a progressive statement, and one that represents a very strong position by your organization.

I certainly want to commend you and your organization and your city as well for the presentation you have made here this morning.

Mr. SCHERER. I just want to say that the mayor of Nashville, Mr. West, is one of the most knowledgeable men in the United States insofar as highways are concerned. Over the years he has, I know of my own knowledge, made a tremendous contribution to the highway program and to the solution of highway problems, not only in the cities, but in the country generally.

Mr. BALDWIN. Mr. West, you mentioned in your statement on page 2, When you are referring to the section about tying in Federal-aid projects with a comprehensive development plan, you said, and I quote:

That portion requiring that the projects are part of a comprehensive development plan does seem to be unreasonable.

And you recommend that provision be eliminated.

The wording in the actual bill is a little bit complicated with regard to the paragraph involved. I would like to ask if I can send you down a copy of the bill so you can have it in front of you. Specifically I would like to know what section of the sentence or paragraph you would recommend being eliminated. The paragraph is on page 8 and I assume you must be referring to the last sentence on page 8, which starts with the words, "The Secretary shall, beginning no later than July 1, 1965"——

Mayor WEST. No. I believe we go back to page 7. Oh, you have another copy. I have a different page number here.

Mr. BALDWIN. Can you indicate to us as specifically as you can how you would modify the actual wording of the bill?

Mayor WEST (reading):

The Secretary shall, beginning no later than July 1, 1965, before approving programs for projects in any metropolitan area, as required by section 105 hereof, make a finding that such projects are consistent with adequate comprehensive development plans for the metropolitan areas. * * *

What we were afraid of was this: We who have taken the lead in metropolitan planning in this country—we know that it is a continuing process. However, from time to time definitive plans, or a major thoroughfare plan in the case of highways, has to be filed by statute. Now, something may develop before we can amend that plan and, therefore, we think that this ties in. In other words, a new big industry, or any number of things happening in the city today result in uprooting all sorts of things. A veterans hospital was plopped right down in the middle of one of my most desirable residential areas, over our objection, but that called for a complete restudy of that whole area. It got into a university area. We have 14 colleges and universities in Nashville. Before we can make a study and amend that plan, we did not want the Secretary's hands tied to say that it conforms to the filed plan. We do not object at all to the point, "or are based on the results of a continuing comprehensive transportation planning process" at all, because we are doing that, but we didn't want to tie his hands to say that it is a certain highway, because in dealing with the States, gentlemen—I ought not to say this, but I hardly ever know what a State is going to do. Some day we may find some money available and then will say, "Look, we have this money and what you are wanting to do we can go ahead with now."

We do not want to tie our hands either. We want to be ready. You know, some folks think that a plan for a city, a comprehensive plan for a city, is a fixed matter. Well, we who are in it know that it can't be. There are too many things happening.

Mr. BALDWIN. Mr. West, then, as I understand it, the specific thing you have objection to is on lines 18 to 20, which reads:

are consistent with adequate comprehensive development plans for the metropolitan areas * * *.

Mayor WEST. Right. Development plans.

Mr. BALDWIN. That you would object to?

Mayor WEST. Right.

Mr. BALDWIN. Thank you.

Mr. CRAMER. I, too, want to say I have had the privilege of reading the Tennessean and I was very impressed by the city planning being done in Nashville, as well as some of the other cities in Tennessee. I want to congratulate you on the leadership which you have given in Nashville in this respect.

Does the city pay the relocation costs in the condemnation of property for city parks, outside of urban renewal now, like city halls, and so forth?

Mayor WEST. We do in the way I expressed it. In the jury of view, if it is owner-occupied, they certainly take it into consideration.

Mr. CRAMER. If you have a business relocating the law is, though, that that relocation cost is not to be included in determining the value of the property; is it not?

Mayor WEST. That does not make any difference.

Mr. CRAMER. But that is the law.

Mayor WEST. Well, law or not, the figure is a fluid matter. The dollar figure is a fluid matter and the jury of view will put that in without mentioning it.

Mr. SCHERER. I agree with the mayor that the juries do take into consideration in condemnation proceedings moving costs, although they may not be specifically allowed under State law.

Do I understand that it is your understanding of this legislation, Mayor, that a jury in making a business an award for its factory would take into consideration the moving costs and inconvenience?

Mayor WEST. Yes.

Mr. SCHERER. Then under this legislation they would be entitled, in addition to the jury award, the actual moving costs.

Mayor WEST. Let us turn it around. I think it would tend to reduce the actual total figure of damages allocated to the property.

Mr. SCHERER. No; the jury would not have known that because the condemnation proceedings are carried on under State law, and there is no allowance made in a condemnation proceeding for moving costs under State law.

Mayor WEST. Mr. Scherer, juries of view don't operate in a vacuum. They know whether the tenant is paid, and they know whether it is urban renewal, or a highway, and they know that if it is urban renewal he is going to be paid, and if it is a highway he is not going to be paid, and know the owner is not going to be paid.

Mr. SCHERER. You think juries know that?

Mayor WEST. Yes, sir; they do. They are usually real estate men and these real estate men are pretty sharp boys. They know exactly what the picture is.

Mr. SCHERER. Even though there is no evidence permitted on this issue?

Mayor WEST. Yes, sir. There does not have to be. As a matter of fact, it may really not cost you anywhere near what you are thinking about, because that added extra will come out of the jury of view's award when they get it. They say, "Well, he is going to get his moving expenses so we are not going to include that."

Mr. SCHERER. How does a jury know that? Moving costs would not be allowed in evidence in the State of Tennessee.

Mayor WEST. Well, they know what the law is. They know what the laws and practices are in our acquisition division of our city government. We acquire all of the Interstate System.

Mr. SCHERER. The average juror knows that?

Mayor WEST. Not a juror. This is a jury of view composed of real estate men in the business who know it, Mr. Scherer.

Mr. SCHERER. Oh, I thought you were talking about a jury in a condemnation proceeding.

Mayor WEST. No. We have juries of view.

Mr. SCHERER. You and I are talking about something entirely different.

Mayor WEST. They are composed of real estate men appointed by the court to fix damages.

Mr. SCHERER. I understand now what you are talking about. I thought you were talking about an ordinary juror in a condemnation proceeding.

Mayor WEST. Well, I would not cut it off there. I think juries understand and consider a lot of things that are not in the testimony.

Mr. SCHERER. That is what I agreed with you on.

Mr. CRAMER. I think you have a copy of the bill and I would like to ask you this question: On page 4 of the bill, section 133(a), lines 13 to 18, what do you think of the standard that has been established and which would be the standard your city would have to live under? It is not a standard now for relocation costs. It states here:

* * * and that there are or will be provided in areas not generally less desirable in regard to the availability of public utilities and public and commercial facilities at rents or prices within the financial means of the families displaced by the acquisition or clearance of such rights-of-way, decent, safe, and sanitary dwellings adequate in number to accommodate such displaced families and reasonably accessible to their places of employment.

What do you think about having to conform to that?

MAYOR WEST. That is fairly restrictive. That is fairly restrictive, I think.

MR. CRAMER. Quite restrictive.

MAYOR WEST. Yes, sir. However, we have under the public housing acts, and under the Federal Housing Act mortgage program, and under the urban renewal program and the community facilities program they were talking about here, utilities and public facilities—we have lots of tools to work with that the Federal Government provided us with, we in the city we are talking about now, and we think we could meet this, but it is restrictive amendments, I mean. You see, the urban renewal requires this too, Mr. Cramer. We cannot move a person out of a house in urban renewal unless we have a place for him to go to. So we work with this every day.

MR. CRAMER. You think then you could live under this and that this is a reasonable restriction, that you would have to conform to all of the requirements in determining what the value to be paid the individual is for his relocation costs?

MAYOR WEST. I would hate to answer that without studying it a little bit more. We would not in my city, but I am talking here for all the cities in the country.

MR. CRAMER. Some cities are not in the same situation.

MAYOR WEST. That is correct, and some cities would have difficulty in meeting that criteria.

MR. CRAMER. I would like to have you supplement your statement if you see fit to do it.

MAYOR WEST. I would be delighted to.

MR. CRAMER. Because it seems to me that is extremely restrictive and, as you indicate, some cities may not be able to conform.

That is all.

MR. EDMONDSON. Mr. Chairman, may I add one further word to the distinguished mayor.

While you have been kind enough to mention me as the author of this National Academy proposition, I would like to direct your attention to the fact that the distinguished chairman of the full Committee on Public Works, Mr. Buckley of New York, and the distinguished chairman of our Special Subcommittee on the Federal-Aid Highway Program, the distinguished gentleman from Minnesota, Mr. Blatnik, are among the six or seven other authors of this bill and sponsors of it in the House. We are very hopeful with your support that we can get it passed.

MAYOR WEST. That is a wonderful thing. We in the cities haven't understood it fully, but we would like to have available the opportunities for training in this field, because there are very few people technically trained in this field anywhere in this country.

MR. EDMONDSON. I thank the distinguished mayor.

MR. CRAMER. May I ask just one more question?

MR. FALLON. Mr. Cramer.

Mr. CRAMER. Do you know, being involved in urban renewal projects, what the percentage of relocation costs is compared to the total costs in condemnation in such cases? What has been the experience in Nashville? What is the cost of relocation?

Mayor WEST. It is minor. I call it very minor.

Mr. CRAMER. What is the percentage?

Mayor WEST. Let me get you the figures. If you were to press me on a guess I would say, oh, 2 percent.

Mr. CRAMER. Two percent of the Federal-aid highway program would be \$80 million.

Mayor WEST. Now, let us analyze that for just a moment. You realize that the relocation problem on the Interstate System, which is a brand-new system, laid on top of all the other highways, is an entirely different thing from the A-B-C program. The A-B-C program, gentlemen, by and large, while there are new legs from time to time, is an established system, and it is reconstruction rather than land acquisition in the A-B-C system. I don't know what the comparable figures would be in the rest of the country, but we have practically no or very little land acquisition in the A-B-C system, because it is already established and functioning. From time to time, legs and connections are made, but nothing like the tremendous Interstate System.

So I think that has to be considered.

Mr. CRAMER. Does the city of Nashville acquire the right-of-way for the Interstate System?

Mayor WEST. Yes.

Mr. CRAMER. And pay for the cost of it?

Mayor WEST. No, sir. The State pays the cost. We pay all of the attorneys' fees and appraisers and negotiators.

Mr. CRAMER. How about the A-B-C system and urban extension?

Mayor WEST. We pay one-third of the cost of the right-of-way in the city.

Mr. CRAMER. If this cost is increased, of course, the city would have to pay their share—50 percent.

Mayor WEST. That is correct.

Mr. CRAMER. Of the A B C for relocation.

Mayor WEST. That is correct.

Mr. CRAMER. Do you think the cities are willing to do that and add to their costs to that extent? Don't you have trouble now getting enough money? That is what most cities tell us. They do not have enough money to match and meet the highway right-of-way costs at the present time. They are traditionally opposed to anything that is going to increase those costs.

Mayor WEST. I will meet you one-third to two-thirds at any time on any project. I don't know about the other cities. I think the other cities feel the same way. You see, we have been in this sort of shape, gentlemen, in this whole highway picture: The cities have been excluded from it up until recent years, completely. Every county highway commission and every State highway commission would stop at the city limits. So we have had great vistas open for us in this Interstate System and in the urban system and in the various highway legislative proposals that have come before Congress and which have been enacted. We have had great vistas open for us. We had to pay it all.

Mr. CRAMER. Urban renewal, and all that business.

Mayor WEST. Yes.

Mr. CRAMER. The only point I am making is, this results in an increased city cost where you participate to the extent of one-third. In Florida they must pay 100 percent of the cost of acquisition.

Mayor WEST. You realize, of course, that Florida has that pork chop situation down there.

Mr. CRAMER. And it is a serious one down there, and I am hoping the Governor one of these days will recognize it and call a special session to do something about it, but so far he has been unwilling to do so.

Mayor WEST. I think the Federal courts are going to attempt to do that, Mr. Cramer. We have a case pending and I was a party to it up there and the Supreme Court acted on it. I think they will take care of it.

Mr. CRAMER. I would like to see the State take care of it. I think the place to do it is with the State if they are willing to do it, and if not, the Federal court has stepped in.

Mayor WEST. It is like urban renewal. The State has not done it, my State has not, for 61 years, and they will have to be forced to.

Mr. CRAMER. Then you think the cities are willing to bear this additional cost by the Federal Government making it a compulsory item of damages?

Mayor WEST. Yes; because I think whatever additional costs there will be in businesses and manufacturing plants, and so forth, we have to bear them now really, indirectly, as we talked about it a while ago. The only item is really these tenants without a lease going from week to week and month to month. The \$200 moving cost would be involved there. I think that would be the net result of the payout.

Mr. CRAMER. That is all.

Mr. BLATNIK. Mr. Chairman.

Mr. FALLON. Mr. Blatnik.

Mr. BLATNIK. I just want to add my congratulations on an excellent statement. It is obvious from this statement to those who are familiar with Mayor West's years of experience in the field of municipal administration and urban planning and coordinating with State and Federal agencies, that this man knows his job. I am very familiar with the Smith study on highways, so I agree. I never realized until then how we were distorting our understanding of the highway system when we were year by year reporting that we have added 6,000 more miles to the Interstate System and then next year 8,000 more miles, when all the time 80 percent of the vehicle owners and users, who were paying the taxes for the program, could not use these miles or get on to them. A high percentage of all the daily automobile trips in America are short ones. It is in the neighborhood of 80 percent, and certainly 70 to 75 percent. They are short trips where a father, for example, drives from his home to his business, or factory, or place of occupation or work. Mother drives to the school, the grocery store, the beauty parlor, the dentist or doctor, and back home. They are little, short trips, day in and day out. Millions of highway users are paying taxes for a program on which the mileage itself does not mean so much.

Am I correct, Mayor West, that these figures were given in the census count, as I recall it, and you can check me on that? They said

that between 1950 and 1960, in that decade, over 90 percent of the population increase took place on about 3 percent of the land area in America.

Mayor WEST. That is about correct. I know over 90 percent of the population explosion took place in the standard recognized metropolitan areas.

Mr. BLATNIK. And these metropolitan areas are areas which are spreading out in cohesive long strips.

Mayor WEST. That is right, and that is another reason why we are insisting, Mr. Blatnik—and you will notice it in my statement here—there are those who feel we should probably not extend the secondary road system, which is really a rural road system, into the urban areas, but you will notice from my statement I am not only insisting on that, which is in the bill, but also insisting that the urban road system be extended into the rural areas, because this is one road system. It is not urban and rural with one meeting the other if possible, but it is one continuous system, and we want a correlated system.

Mr. BLATNIK. It is an integrated system.

Mayor WEST. Let us not use that word. Let's say correlated.

Mr. BLATNIK. Call it whatever name you wish, it is absolutely sound. It has to be sound.

Mayor WEST. No; I was joking there. We have no trouble whatsoever there. We are in good shape.

Mr. BLATNIK. I am very impressed with the statement. Thank you very much, Mayor.

Mr. FALLON. Are there any other questions from members of the committee?

Mayor West, I think the members individually expressed themselves on the valuable contribution you have made in answer to the questions that came up here this morning, and I too would like to express my appreciation. Thank you very much.

Mayor WEST. Thank you, Mr. Fallon and gentlemen of the committee.

Mr. FALLON. We have next Mr. Mangan.

**STATEMENT OF MARTIN P. MANGAN, ASSISTANT COMMISSIONER,
BUREAU OF INDIAN AFFAIRS; ACCOMPANIED BY ROBERT J.
TRIER, CHIEF, BRANCH OF ROADS, BUREAU OF INDIAN AF-
FAIRS, DEPARTMENT OF THE INTERIOR**

Mr. MANGAN. Mr. Chairman, I am Martin Mangan, Assistant Commissioner of Indian Affairs; and with me is Mr. Robert Trier, the Chief of the Branch of Roads of the Bureau of Indian Affairs.

Mr. FALLON. On behalf of the committee we welcome you this morning and thank you for coming.

Mr. MANGAN. Thank you very much.

On April 16, 1962, the Department sent to this committee a report on the various bills pending before the committee today. Before submitting that report we had some very careful sessions with the Bureau of the Budget which resulted in a decision on the part of the administration to ask the Congress to appropriate for the agencies in the Department of the Interior for building roads that are in the

National Park Service, the Bureau of Indian Affairs, and the Bureau of Land Management, for the following appropriations for the years 1964 and 1965:

For park roads and trails, \$22 million in 1964 and \$25 million in 1965.

For parkways, \$16 million in 1964, and the same amount in 1965.

For Indian roads and bridges, \$16 million in 1964 and \$18 million in 1965.

For public land development roads and trails, \$2 million in 1964 and \$4 million in 1965.

Mr. FALLON. Mr. Mangan, isn't this No. 4 a new section?

Mr. MANGAN. No; I believe not, sir. The public land development roads and trails, you mean?

Mr. FALLON. Yes.

Mr. BALDWIN. Yes; it is a new section. Public land development roads and trails is something we have never had.

Mr. MANGAN. There will be some members of the Bureau of Land Management to explain that to the committee. These figures on the appropriations proposed to be authorized by H.R. 11199 and it is for that reason that the Department in its report recommended that of the bills now pending today, H.R. 11199 be the bill that is enacted.

With respect to the other provisions of the other bills, however, that do not bear on the appropriation authorizations for the Interior agencies, we find that they do not impinge upon our authorities, and so we have no reason to urge the merits of one bill as against another, except to urge the committee that if, in the event it decides to mark up one of the other bills other than H.R. 11199, the bill that is reported out be amended to include the appropriation authorizations that are contained in H.R. 11199.

Other than making that recommendation, Mr. Chairman, we have a fairly long report here and it does not need any elaboration or explanation, and if the committee were to make it part of the record I would leave it at that and request I might make a short supplemental statement and let the report speak for itself.

Mr. FALLON. Mr. Mangan, I have a communication here from the Assistant Secretary of the Interior. Do you want that to precede your testimony in the record?

Mr. MANGAN. Yes, sir. That is the Department's report.

Mr. FALLON. If there is no objection, it is so ordered.

(The report of the Department of the Interior, Office of the Secretary, dated April 16, 1962, is as follows:)

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., April 16, 1962.

HON. CHARLES A. BUCKLEY,
Chairman, Committee on Public Works,
House of Representatives, Washington, D.C.

DEAR MR. BUCKLEY: This responds to your committee's request for reports on H.R. 9725, a bill to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, and H.R. 11199, H.R. 6758, H.R. 7415, and H.R. 9848.

We recommend that H.R. 11199 be enacted.

Although the other bills take substantial cognizance of this Department's needs, we believe that H.R. 11199 better meets those needs for the reasons stated below.

The following table sets forth the authorizations of H.R. 11199 as to the items in which this Department has a particular interest:

	1964	1965
Park roads and trails.....	\$22,000,000	\$25,000,000
Parkways.....	16,000,000	16,000,000
Indian roads and bridges.....	16,000,000	18,000,000
Public land development roads and trails.....	2,000,000	4,000,000

The rehabilitation and development of the public lands is being accelerated, within budgetary objectives, and expenditures for roads are becoming more significant. It seems only proper, therefore, that the authorization for roads on the public domain should be coupled with other road authorizations to provide a more comprehensive bill and to afford an opportunity for adequate consideration within the total road program.

Approximately 195 million board feet of timber are harvested each year from public domain lands administered by the Bureau of Land Management. This harvest grosses about \$5 million but has an end product value of \$100 million and creates an estimated 2,500 man-years of labor, a contributing factor to the economic growth of communities.

Section 2(b) of the Federal-Aid Highway Act of 1960 (72 Stat. 522) authorized appropriations for Indian reservation roads and bridges, \$12 million for the fiscal year ending June 30, 1962, and \$12 million for the fiscal year ending June 30, 1963.

The proposed increases in the authorizations for Indian reservation roads contemplated by H.R. 11199 would enable this Department's Indian Bureau to attain important objectives in education, conservation, and recreation; it would provide a better balance of these programs and result in a more efficient overall Indian Bureau program.

The strongest element in the priority ratings of Indian reservation road construction projects is the need for improved school supply and bus transportation. Many of the existing schoolbus roads are inadequate. The present condition of the roads causes severe damage to schoolbuses and renders the roads impassable in bad weather. Moreover, the Indian Bureau has an obligation to furnish education to some 5,000 children who are not now in school. The improvement of reservation roads will increase school attendance and improve the efficiency of the school operation.

All-weather roads are needed to permit school attendance of additional Indian pupils on a day rather than a boarding basis. The cost of construction and operation of day schools is approximately half that of boarding schools. In addition, the following advantages accrue to the Indian children when they can attend school on a day basis; they remain with their families and have the benefit of parental guidance during their formative years; their parents are encouraged to participate in school affairs thus giving support and more meaning to their education. In keeping with longtime objectives, Federal schools will be transferred to the public school system as rapidly as conditions permit. Readiness of the Indian parents and the community, organization of school districts, and availability of appropriate facilities are determining factors, and the operation of day schools will hasten their development. The building of all-weather road systems on the reservations would therefore result in savings to the Federal Government by promoting the more economical Federal school operations and facilitating the eventual withdrawal of Federal services.

The Bureau of Indian Affairs also has a backlog of need to furnish access roads to Indian forests for the harvesting and protection of Indian timber. The authorizations envisaged by H.R. 11199 would make it possible to improve the forest roads and thereby benefit forest development and protection which is an important factor in the economic development of the reservation.

A great expansion of industry on the reservations is underway. This takes many forms such as mining, oil and gas, timber, cattle, and farming. The efficient operation of these industries and the full development of their potential require an acceleration of the Indian Bureau road program. Road construction is also essential to the protection, conservation, and management of the natural resources on which these industries are based.

Although the Indian country offers outstanding recreation facilities, they have not been fully utilized for lack of adequate roads. Better roads will result in increased tourist business which is an important source of Indian income.

It is also obvious that the nationwide Federal and State programs for building Interstate and other State highways will greatly increase the number of tourists seeking recreation in the picturesque Indian country. This is an important economic opportunity for the Indian people. The Indian Bureau road system furnishes access from the main State highways to these recreation areas.

With respect to park roads and trails and parkways, the amounts set forth in H.R. 11199 are necessary if we are to make substantial progress on completing the Mission 66 program as to those types of roads. Even if the 1964 and 1965 authorizations are increased to the levels set forth in H.R. 11199, and appropriations are made at those levels for the balance of the Mission 66 program, there will still remain over \$173 million worth of work to complete national park roads and over \$68 million worth of work to complete National parkways after 1966. The above amounts, of course, take into account the normal increase in scope of the Mission 66 program due to additions, for example, Fort Davis and Fort Smith National Historic Sites, and Cape Cod National Seashore, which have been added to the National Park System during the past year.

The new system of Interstate and Defense Highways as authorized under the 1956 Federal-Aid Highway Act is now well underway and each year finds additional units completed which, because of their greater traffic volume, are bringing visitors to the parks, monuments, and parkways in ever-increasing numbers. Similarly, increasing authorizations for the primary highways of the United States, \$850 million in 1958 to \$950 million in 1965 as contemplated by H.R. 11199, result in bringing more and more visitors. The authorizations sought for national park roads and national parkways are necessary, we believe, for us to keep pace with the interstate and primary highways noted above.

Each part of the Federal program depends on the other and the public is very swift and vocal in recognizing deficiencies in any one phase. Our requested authorizations are based on trying to achieve an overall balanced program for the best public service. The authorizations envisaged by H.R. 11199 are vitally necessary to complete the road systems in the National parks and parkways now authorized by the Congress.

Because we believe that H.R. 11199 meets our needs and should be enacted, we have not commented in detail concerning the other bills.

The Bureau of the Budget has advised that enactment of H.R. 11199 would be in accord with the President's program.

Sincerely yours,

JOHN A. CARVER, JR.
Assistant Secretary of the Interior.

Mr. MANGAN. In addition to the Department's report we have delivered to the committee in ditto form a short supplemental report with respect to the needs for the Bureau of Indian Affairs in its road-building programs for the years 1964 and 1965. Here again, if the committee is to introduce that supplemental statement in the record, I would not dwell on it other than, if I may, to highlight two or three points in it. It is devoted largely to a chronicle of the history of roads on Indian reservations.

As you will note in the statement, there has been historically a lag in the building of roads on Indian reservations, and it is characterized as the outstanding blank areas on road maps, and very significant blank areas in some respects in recent years.

The Navajo Reservation, as the committee may know, is as large as all of the New England States put together, and as large as the State of West Virginia, and until the Congress enacted the general enabling statute for an Indian road system in 1928, and has since accelerated the appropriations for Indian roads, those blank areas have been very significant.

I think it is more than coincidental that there has been a lag in economic development in Indian country in that period in which road-building lagged. The roadbuilding recently accelerated and our statement would like to indicate that the acceleration needs accelerated.

I would like to point out we are now requesting a budget of some \$200 million for the Bureau of Indian Affairs for the Indian population of the United States for all reservations, which constitutes only about one-third of 1 percent of the total population of the United States. These \$200 million are expended in benefits over and above that which the Indians receive as citizens of the United States from other Federal, State, and local programs; but of that fairly substantial amount of money for a fairly small number of people, more than 60 percent of the people in the Bureau of Indian Affairs, and above 60 percent of the money expended is for school purposes. Yet we still have 5,000 Indian youngsters who are not in school at all and have a great many of them who are in boarding schools, because there is no means of bussing them from home to school and back home again on a day school basis. Generally it costs us about twice as much to provide education for an Indian youngster in a boarding school as a day school.

As against that, there is also the fact that their home life is disrupted. We move Navajo and Hopi youngsters all the way from Oklahoma and Riverside, Calif., and Carson City, Nev., and they are away from their homes for the most part all the months of the year, which is disruptive.

Also, through the Johnson-O'Malley Act and other methods we are trying to get them into the existing public school districts, and a road network is vitally needed for that purpose.

Also we are pointing out in this acceleration of economic development in the Indian country, there is a very substantial increase in income now being realized by the Indian people as a result of development in the fields of mining, oil, gas, timber, cattle, and so on, and farming, and some manufacturing. There have been some instances in which this latter industrial development of Indian reservations, which is fairly new, has had some tremendous impact.

One industry came in on the Pine Ridge Reservation in South Dakota last year, for instance, and the reservation having some 10,000 people located on it and having only seasonal migratory farm labor most of the year, where almost all of them go on welfare during the wintertime—in this particular instance the Wright-McGill Fishing Tackle Co. came in and provided 500 jobs on that reservation, and for the first time that winter there was an absolutely level line of welfare assistance, and no increase in the winter at all. One industry made that difference in a fairly large area like that.

I do not need to labor the point that unless there are improved roads, especially when we are confronted with a diminishing railroad service, and when air service does not lend itself particularly as yet to the advancement of the industrial development, that these roads are very vital to the Indian program.

Also a new result of the growth and its significance in the Indian country is that of the recreation potential. The back country of the Indian country is in many instances some of the most spectacular in the United States, but we will need roads to get people back into that country. The outdoor people are these rugged and intrepid types, but the Indian people would like to lighten their loads by relieving them of as much money as they can when they go through there, and we will need these roads to funnel them through the reservations.

I would like to close in our presentation by pointing out that although the Highway Act of 1960 provided a current appropriation

of \$12 million for the road system, we have actually had \$16 million in money available over the past few years, which is due to the fact that the Congress enacted a special statute, the so-called Andersen-Udall statute in 1958, being an act of Congress of August 23, 1958 (72 Stat. 834), which provided an additional \$20 million special authorization for the Navajo and Hopi Reservations. So, with the \$12 million provided by the Highway Act of 1960 and the \$5 million a year, per-year appropriation under the Andersen-Udall Act, we have had \$16 million for the past several years. That is \$16 million a year, and we propose to ask, notwithstanding the fact that the act expires in 1963, that we be permitted to continue the road program at a rate of expenditure of \$16 million for 1964, and a modest but much needed increase in 1965 to \$18 million.

That is the only testimony I have to offer, Mr. Chairman.

Mr. Zumwalt and Mr. Zaidlicz of the Bureau of Land Management are here and wish to make only a brief supplementary statement, and also Mr. Smith and Mr. Bayliss of the Park Service are here to supplement this with short statements.

Mr. FALLON. Without objection, your prepared statement will be made a part of the record at this point.

(The prepared statement of Mr. Mangan is as follows:)

STATEMENT OF THE BUREAU OF INDIAN AFFAIRS REGARDING H.R. 9725 AND H.R. 11199

The Bureau of Indian Affairs has been historically responsible for road transportation to serve Indian lands. In fact, the routes followed today by many of the interstate highways in the West were originally pioneered by the Bureau of Indian Affairs.

When lands in and adjacent to Indian reservations became occupied by non-Indians, road transportation became a local government function. Counties laid out and originally built most of the road mileage in this country. Financing was from land tax. Indian land, being tax free, received very little of the benefits of county road building. It was soon apparent that Indian reservations were blank areas on road maps.

Congress recognized the need for Indian reservation roads first by providing for specific roads and bridges. By 1928, the need was so great and so general that Congress passed the basic act authorizing the construction and maintenance of roads on Indian lands.

As funds were provided and roads constructed, Indian social and economic life responded in the same manner as had taken place earlier in non-Indian areas. A great deal has been accomplished, especially since the enactment of the Federal Highway Act of 1954. This and subsequent acts have provided contract authority for Indian Bureau roads. The amounts were more substantial and suitable than had previously been provided. While the Bureau road program has not caught up with the county programs, and while the blank spaces on the road maps have not yet been filled in, the Bureau need for road funds and roads is becoming more and more like the needs of normal rural communities.

We need roads that will stand the torque of the more powerful modern vehicle, and we need roads that will carry traffic in all weather. Especially, we need roads that will permit day school operation on the reservation.

All-weather roads are needed to permit school attendance of additional Indian pupils on a day, rather than a boarding basis. The cost of construction and operation of day schools is approximately half that of boarding schools. In addition, the following advantages accrue to the Indian children when they can attend school on a day basis: They remain with their families and have the benefit of parental guidance during their formative years; their parents are encouraged to participate in school affairs, thus giving support and more meaning to their education. In keeping with longtime objectives of the Bureau, Federal schools will be transferred to the public school system as rapidly as conditions permit. Readiness of the Indian parents and the community, organization of school districts, and availability of appropriate facilities are determining factors, and the opera-

tion of day schools will hasten their development. The building of all-weather road systems on the reservations would therefore result in savings to the Federal Government by promoting the more economical day school operations and facilitating the eventual withdrawal of Federal services.

It is also obvious that the nationwide Federal and State program for building interstate and other State highways will greatly increase the number of tourists seeking recreation in the picturesque Indian country. This is an important economic opportunity for the Indian people. The Indian Bureau road system furnishes access from the main State highways to these recreational areas.

A great expansion of industry on the reservations is underway. This takes many forms such as mining, oil and gas, timber, cattle, and farming. The efficient operation of these industries and the full development of their potential require an acceleration of the Indian Bureau road program. Road construction is also essential to the protection, conservation, and management of the natural resources on which these industries are based.

For these reasons, and after careful consideration of a proper balance of the various programs which the Bureau is carrying on, I recommend that \$16 million be provided for Indian roads in the 1964 fiscal year and \$18 million for the 1965 fiscal year.

Mr. FALLON. Mr. Mangan, do you want to present the gentlemen who are also here from the Department of the Interior?

Mr. MANGAN. Yes; I will, unless you have some questions of Mr. Trier and me.

Mr. FALLON. Are there any questions on my right? Any questions on my left?

Thank you very much for your statement, Mr. Mangan.

Mr. MANGAN. Thank you, Mr. Chairman.

This is Mr. Eugene V. Zumwalt, Chief of the Division of Forest Management; and Mr. Edwin Zaidlicz, a forester of the Bureau of Land Management; and they will be followed by Mr. Smith and Mr. Bayliss.

Mr. FALLON. Mr. Zumwalt and Mr. Zaidlicz, thank you very much for coming up this morning.

STATEMENT OF EUGENE V. ZUMWALT, CHIEF, DIVISION OF FOREST MANAGEMENT; ACCOMPANIED BY EDWIN ZAIDLICZ, FORESTER, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

Mr. ZUMWALT. I am Gene Zumwalt, and this is Mr. Zaidlicz.

Mr. FALLON. Do you have a statement?

Mr. ZUMWALT. Yes, Mr. Chairman and members of the committee.

We appreciate the opportunity to appear before you regarding H.R. 11199. The committee has Secretary Carver's statement of the Department's views on this bill, which recommends its enactment.

My remarks will be limited to Bureau of Land Management requests under 205A—public land development roads and trails.

Mr. FALLON. Is that section 4 of the bill?

Mr. ZUMWALT. That is a new section.

Mr. FALLON. Would you explain that section to us, please?

Mr. ZUMWALT. Yes, sir. I will do that.

The sums cited under that portion of H.R. 11199 are \$2 million for fiscal year 1964 and \$4 million for fiscal year 1965.

The Bureau of Land Management administers a little more than 157 million acres of public forest land in the Western United States and Alaska, of which approximately 44 million acres are classed as commercial forestland supporting a stand volume in excess of 204

billion board feet. We expect to offer 195 million board feet of timber valued at about \$5 million in this fiscal year—1962. We estimate the end product values to be \$100 million and conversion of this material would support 2,500 man-years of labor.

Additionally 178 million acres of public rangelands in the Western United States and an estimated 100 million acres of usable livestock and big-game range in Alaska must be managed, protected, and developed. Access roads are essential to the management of these lands.

Recreational pressures for increased use of these lands by the public further emphasize the critical needs for adequate roads.

Heretofore it has been the practice to construct most of our roads in forested areas through timber sale contract requirements. While these roads serve their primary purpose, in most instances they are not adequate for the expanded use placed on them now. Our timber sale purchasers are normally not professional roadbuilders and standards for multipurpose roads generally impose a severe burden on their construction activities. The standards of roads needed for full resources development—serving timber, minerals, range, recreation, water, protection, and wildlife—exceed their modest equipment and skills.

The 1964 program at the requested level of \$2 million would permit construction of about 290 miles of road, surfacing 45 miles, acquisition of 50 miles of private road, and construction of five bridges.

The 1965 level of \$4 million would provide for construction of about 630 miles of road.

Inclusion of Bureau of Land Management road needs within the scope of this legislation as enacted by the Congress will provide needed support for the public land resource programs insofar as roads are concerned and will afford a basis for timely and orderly development of our road program.

Mr. FALLON. Are there any questions on my right? Any questions, Mr. Baldwin?

Mr. BALDWIN. Mr. Zumwalt, could I ask this question: We in the past have appropriated funds just for public land highways as far as public land is concerned. As I understand it, the objective of those highways would simply be to cross public lands and not to develop timber, or anything else. I take it at times, however, that the public land highways have been indirectly beneficial toward the getting of timber from such public lands as happen to be nearby, and, therefore, would be a convenient means of access. Would that be an accurate statement?

Mr. ZUMWALT. That is correct.

Mr. BALDWIN. So the only difference between the public land highways we have authorized them in the past and the public land development roads is that although in the public land highways there might be an incidental benefit in getting timber out, as far as the new category is concerned, the primary objective of it would be to place them in such locations as would facilitate the getting out of timber from that public land. Is that an accurate statement?

Mr. ZUMWALT. That is a correct statement.

Mr. BALDWIN. Thank you.

Mr. FALLON. Are there any other questions?

Thank you very much, Mr. Zumwalt.

Mr. ZUMWALT. Thank you, Mr. Chairman and members of the committee.

Mr. FALLON. Mr. Zaidlicz, do you have a statement you wish to make?

Mr. ZAIDLICZ. No, sir; I do not. I have some supplemental information if you have any questions on the program.

Mr. FALLON. There are no further questions so thank you very much, Mr. Zaidlicz.

Mr. Bayliss and Mr. Smith.

STATEMENT OF HAROLD G. SMITH, CHIEF, OFFICE OF PROGRAM COORDINATION; ACCOMPANIED BY DUDLEY BAYLISS, CHIEF OF PARKWAYS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. SMITH. Mr. Chairman, my name is Harold Smith and I am Chief of the Office of Program Coordination. Accompanying me here is Mr. Dudley Bayliss, Chief of Parkways. Director Wirth asked us to convey his regrets to you, Mr. Chairman, and to this committee, for his inability to be here today. At the last moment this morning he was notified of a conference with Secretary Udall and could not make it.

I have a brief statement that I should like to read, with your permission.

Mr. FALLON. Go right ahead, sir.

Mr. SMITH. As of January 1, 1962, the National Park Service administered 192 individual national parks, monuments, recreation areas, and areas in other classifications. These areas included nearly 26 million acres of federally owned lands, and during the travel year ending December 31, 1961, visitors totaled nearly 79,039,800. This does not include the estimated 7,623,000 visitors to the memorials and other areas administered by National Capital Parks here in the District of Columbia and nearby areas.

These parks, monuments, and other areas, including parkways, contain about 7,750 miles of roads, and about 8,750 miles of trails. It is the policy of the National Park Service to construct roads to what is considered to be a representative or fair assortment of interesting or distinguishing features, usually representing the prime features for which the areas were set aside. These roads are supplemented by trail systems to meet the demands of those visitors who wish to get away from the more densely populated areas and see some of the wilderness or other scenic, scientific, or historic features of interest. It is not the intent of the Service to construct extensive additional road mileages. In addition to roads and trails for visitor use, the Service constructs utility roads, and truck trails required for forest protection, ranger patrol, and so forth.

On the average, about 80 to 85 percent of our road construction has been for reconstructing or replacing existing roads, many of which were constructed on routes established 50 or more years ago, in the case of Yellowstone, for traffic which was predominantly by horse-drawn vehicles in the old days.

Very good progress has been made on roads and trails construction since the inception of the Mission 66 program, starting with the 1957 fiscal year. During the 6-year period 1957-62, more than \$101

million has been authorized for roads construction. The 1963 budget estimates call for an \$18 million roads construction program, and about \$75 million will be needed to carry out the roads and trails construction contemplated for the remaining 3 years of the Mission 66 program.

Another \$183 million is estimated to be needed to complete construction after 1966.

It is recommended that the present roads and trails authorization of \$18 million be increased to \$22 million for the 1964 fiscal year and to \$25 million for the 1965 fiscal year. This increase will be necessary if we are to keep up with the growing demands for reconstructing existing roads; to provide roads in areas which have been added to the national park system in recent years, and for those areas which are proposed for addition within the immediate future years.

One of the problems that has faced the Service during the past 2 years and which will be largely corrected by the increased authorizations has been the lack of roads and trails funds to keep in balance with the funds appropriated for buildings, utilities, and miscellaneous construction. For example, during the current fiscal year we have nearly \$38 million appropriated for building buildings, utilities, and other facilities. In the 1963 budget we have \$31,153,000 for buildings and utilities.

All of those programs are not sufficient now to provide all of the minor roads required to serve campground units, to provide the service roads to utility areas, and so forth.

The Congress has been very sympathetic and has given us considerable financial assistance in meeting all the public demand for these campground facilities, but we have not been able to meet all the high priority roads and trails projects and at the same time provide sufficient funds for access and circulatory roads in campgrounds.

In the case of parkways, authorizations of \$16 million are being recommended for each of the 1964 and 1965 fiscal years. This is the same amount as currently authorized. It is estimated that \$129,773,800 will be required beginning with the 1964 fiscal year to complete six of the nine authorized parkways. These parkways are the Blue Ridge in North Carolina and Virginia; the Colonial in Virginia; and George Washington Memorial Parkway in Maryland and Virginia; the Natchez Trace in Alabama, Mississippi, and Tennessee; the Foothills in Tennessee; the Rock Creek and Potomac Parkways in the District of Columbia; and the Baltimore-Washington and Suitland Parkway in Maryland and the District of Columbia; and the Palisades Parkway in the District of Columbia.

We have made good progress on the parkway program as a whole under the Mission 66 program, and particularly good progress has been made on the Blue Ridge Parkway since the beginning of the Mission 66 program in 1957 fiscal year. The amount of \$93 million has been authorized for parkways construction.

The 1963 program of \$16 million would bring this figure up to \$109 million.

The parkways total approximately 1,100 miles, of which 672 miles have been completed, about 140 miles have been started, and about 285 miles remain to be started.

The Colonial Parkway in Virginia has been essentially completed and nothing further is contemplated on the construction of the Baltimore-Washington and Suitland Parkways at this time, except

for such safety measures as grade separations, stoplight installations, and so forth, to meet developing traffic and safety needs.

Mr. Chairman, that concludes our statement and we will be happy to attempt to answer any questions you or the committee may have.

Mr. FALLON. Mr. Smith, we very much appreciate your statement. I know how you feel about the amount of money you should have.

Mr. Baldwin, do you have any questions?

Mr. BALDWIN. I have just one.

Mr. Smith, have you received appropriations during the last 2 fiscal years up to the maximum of the authorizations for park roads?

Mr. SMITH. No. We have been receiving cash appropriations in a lesser amount than the amounts of appropriations authorized. This has not worked any hardship on us because there is a lag between the time we have to pay the contractors and the time that the project is authorized.

Mr. BALDWIN. Could I ask specifically, for example, in fiscal year 1962, which is closing out on June 30, what was the amount appropriated in relation to the amount authorized?

Mr. SMITH. During the 1962 fiscal year—I have the figures right here, sir—we were appropriated \$30 million. Of this amount \$14 million was for parkways. We have a \$16 million authorization, and that is the size of our program. We carry out a \$16 million program, but cash in the amount of \$14 million is sufficient to meet our payments to contractors, and in subsequent years we will pick up the remainder.

For roads we were appropriated \$16 million and are authorized \$18 million in the program.

Mr. BALDWIN. What is in the budget for fiscal year 1963?

Mr. SMITH. For 1963 we have \$30 million for liquidating the contract obligations incurred under the Federal highway authorizations.

Mr. BALDWIN. Is that broken down conveniently \$14 million for parkways?

Mr. SMITH. Yes, sir. \$14 million for parkways and \$16 million for roads and trails.

Mr. BALDWIN. So once again you are cut \$2 million below the authorization in each grant?

Mr. SMITH. Yes, sir. And so far the cash has been sufficient to meet the payments to contractors. This is not working any hardship on us.

Mr. BALDWIN. Thank you.

Mr. FALLON. Any questions, Mr. Scherer?

Mr. SCHERER. No questions.

Mr. FALLON. Mr. Smith and Mr. Bayliss, on behalf of the committee we appreciate your giving us your time this morning. Thank you.

Mr. SMITH. Thank you, sir.

Mr. FALLON. The committee stands adjourned until 10 o'clock tomorrow morning.

(Whereupon, at 12:35 p.m., the subcommittee recessed until 10 a.m. the following day, Wednesday, May 2, 1962.)

FEDERAL HIGHWAY ACT OF 1962

WEDNESDAY, MAY 2, 1962

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ROADS OF THE
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10:15 a.m., in room 1302, New House Office Building, Hon. George H. Fallon (chairman of the subcommittee) presiding.

Mr. FALLON. Ladies and gentlemen, the Subcommittee on Roads is meeting this morning in a continuation of hearings on H.R. 9725, H.R. 11199, and H.R. 9848. Mr. Buckley?

Mr. BUCKLEY. Before we start the hearing today I would like to have Mr. Cook read a telegram sent to him, and I would like to have Mr. Johnson read a telegram sent to him. At this time I yield to Mr. Cook.

STATEMENT OF HON. ROBERT E. COOK, A MEMBER OF CONGRESS FROM THE STATE OF OHIO

Mr. Cook. Mr. Chairman, I received a telegram here from the Governor of Ohio, Michael V. DiSalle, with reference to these bills which the committee is now considering. With your permission I would like to read into the record the telegram received from the Governor with reference to this legislation. It reads as follows:

MAY 2, 1962.

HON. ROBERT E. COOK,
*U.S. Congress, House of Representatives,
New House Office Building, Washington, D.C.*

DEAR CONGRESSMAN: Since receiving your letter of April 19, 1962, I have had an opportunity to discuss H.R. 11199 and the statement relating thereto made by J. C. Womack, president, American Association of State Highway Officials, with E. S. Preston, Director of Highways, Ohio.

With respect to the A-B-C authorizations for the 1964 and 1965 fiscal years, we would favor the amounts proposed in Fallon bill, H.R. 9725, due to magnitude of need on the A-B-C system to provide adequate connections to interstate highways.

Section 3 of H.R. 11199 proposes assistance to displaced families and businesses. It is our belief that it is proper and desirable to reimburse occupants for their actual moving costs when they are forced to relocate to make way for highway construction. It is recommended, however, that public housing agencies (other than highway departments) be charged with responsibility of assuring temporary and permanent housing referred to in the bill. Such cooperative arrangements would appear to be quite feasible. Even with the payment of relocation assistance, it is necessary to develop better conditions for advance purchase of rights-of-way than presently exists.

Section 4 of H.R. 11199pr opposes to increase the authorizations for certain public domain roads, particularly forest development roads and trails. We are not opposed to such authorizations provided that they are not financed from the highway trust fund.

Section 6 expands the Federal-aid secondary highway system to permit extensions of this secondary system in urban areas. We consider this to be desirable.

Section 7 deals with transportation planning in metropolitan areas. We are in agreement with this proposal providing that there is flexibility permitted in the effective date requiring such planning so that continuing planning processes can be established without interrupting the continuity of the highway program.

Section 8 would increase highway planning and research funds on A-B-C authorizations from 1½ percent to 2 percent.

We are in accord with this proposal. It is understood that this section as proposed would also prohibit reversion of unused 1½ percent funds to construction. Such a provision would greatly stimulate highway research and planning. Many States are inclined to defer research and planning in order that they may use these funds for their unsatisfied construction needs. Such action is understandable but, to a great extent, is responsible for significant lag in highway research. An orderly, continuing research program, on a national scale, is essential if we are to have a progressive and effective highway program.

We respectfully suggest that the position of the various highway departments as stated by Mr. Womack in his presentation to your committee does not represent the present thinking of many of the States. Mr. Alfred E. Johnson, executive secretary, American Association of State Highway Officials, contacted the head of each highway department by telegram on April 11 and requested an immediate reply. It was unfortunate that the States did not have a copy of the bill nor an adequate explanation of its provisions. We have been in contact with the heads of several highway departments in neighboring States and they are generally in accord with the recommendations stated herein.

We appreciate the opportunity to express our recommendations to you on this important piece of legislation.

MICHAEL V. DI SALLE,
Governor, State of Ohio.

Mr. BUCKLEY. Now I yield to Mr. Johnson.

STATEMENT OF HON. HAROLD T. (BIZZ) JOHNSON, A MEMBER OF CONGRESS FROM THE STATE OF CALIFORNIA

Mr. JOHNSON. Mr. Chairman, I have just been handed this telegram, which is addressed to the chairman of the full committee, Hon Charles A. Buckley, by the Governor of our State, Edmund G. Brown, and I would like to read it into the record, if I may. [Reading:]

MAY 2, 1962.

HON. CHARLES A. BUCKLEY,
*House of Representatives,
Washington, D.C.*

DEAR CONGRESSMAN: As author of the administration's bill, H.R. 11199, I thought you might find helpful an expression of California's viewpoint thereon. California through its highway organization is an enthusiastic member of the American Association of the State Highway Officials and we have been singularly honored by that association's action in electing our able State highway engineer, J. C. Womack, as its president. It was in the capacity of president of that association that he appeared before you on April 17 of this year, presenting in the main the policy statement of that association as adopted in its annual convention last fall and the views of its legislative committee representing many States. Varying conditions and viewpoints throughout the country inevitably result sometimes in differences of opinions and feelings as to details but not necessarily as to broad questions of policy. To me H.R. 11199 involves such broad questions. It contains four main provisions:

(1) Apportionments: California is not sufficiently affected by differences between the various bills as to the amount of A-B-C apportionments to be greatly concerned. However, in our State continued progress on the Interstate System is very important. California can also use to good advantage any possible increases in the public lands road program.

(2) Assistance to those displaced by property acquisition, hardships, or inconvenience may be imposed on some of those displaced by highway right-of-way acquisition and we are in accord that any hardships should be prevented or alleviated to the greatest extent practicable. California has worked with consider-

able success on the problem. We take the attitude that the highway program is for the people, all the people, and must be pursued with consideration and with public concern for those directly affected, as President Kennedy himself has said.

(3) and (4) Transportation planning and increased research: We are also in accord with the desirability and necessity for more comprehensive transportation planning and increased research.

In the current fiscal year all Federal funds available plus the required State matching funds, the total being in an amount of nearly \$5 million, have been programmed for planning and research. In addition, State funds in a substantial amount are used on Federal participating studies. The proposed requirement for an increased minimum expenditure for research is acceptable for California.

California is proud of its present planning and research programs. As an example, the regional transportation study including land use being conducted in the Los Angeles area covers about 9,000 square miles and embraces a population of over 8 million people and a vehicle registration of over 4 million. The study covers 3 entire counties and portions of 2 more and 92 cities. All of the local governmental agencies, their planning staffs, the local transit systems, the Federal Housing and Home Finance Agency, the Bureau of Public Roads, and numerous private interests and organizations are actively participating.

We are now starting preparation of a prospectus to develop a similar study covering nine counties in the San Francisco Bay area. Full local participation is planned. Over the years many studies covering smaller areas have been made.

While we understand that there may be some modification in language considered for purposes of clarification and ease of administration, the basic objectives of the administration's bill are sound and are endorsed by California.

Best regards,

EDMUND G. BROWN,
Governor, State of California.

That is the statement of our Governor, and I am certain that all of us from California are very much in favor of the bills that are presently before your committee—H.R. 9725, H.R. 11199, and the other bill you mentioned of Congressman Scherer of Ohio.

Mr. Chairman, I have a prepared statement here which reads as follows:

Mr. Chairman, on September 21, 1961, President Kennedy sent Congress a report from the Department of Agriculture recommending "A Development Program for the National Forests." The report gives estimates of what must be done during fiscal years 1963-72 to meet current and long-range demands for the products and services of the national forests on a continuing basis.

The development program amplifies and updates the national forest program sent Congress by the preceding administration in 1959. It provides more work and effort in areas where pressure on resources of the national forests has revealed inadequacies in the 1959 program. These areas are:

- (a) Recreation use of the forests;
- (b) Demand for forest products;
- (c) Need for multiple-purpose roads; and
- (d) Need to acquire lands within forest boundaries, especially for recreation.

Under the development program, it will be possible for management and utilization of national forest resources to keep pace with population growth and the expanding needs of the national economy during the next decade. Many of the benefits of the 10-year program will carry over and contribute to meeting the long-range demands on the forests. For roads and trails this means servicing in the year 2000 (a) protection requirements of a watershed producing 200 million acre-feet of water annually; (b) recreation and wildlife resources used by 635 million visitors each year; (c) timber resource supporting an

annual cut of 21 billion board feet; and (d) 60 million acres of range-lands.

The immediate benefits that will result from the development program include the following:

(a) Receipts to the Treasury will increase to about \$230 million annually by the time the program is completed. This is more than double current receipts.

(b) Increased payments to the States from the receipts coupled with a higher level of expenditures for roads and fire control in the national forests will greatly strengthen local governmental units and local economies.

(c) The capital value of the timber, forage, and lands of the national forest system will be increased about \$2 billion.

(d) The program will provide direct employment for about 32,750 workers at its peak. Much of this will be in areas of labor surplus and low rural incomes. Of the 186 million acres of land administered by the Forest Service, 80 million acres are in such area.

(e) The timber harvest will rise to about 13 billion feet of sawtimber in the final year of the program. This amount of timber will have a consumer value of over \$4 billion and provide 800,000 man-years of work during the year. This is about twice the current levels.

(f) Recreation visits will rise to 195 million annually by 1972. The business generated by these visits will have a value to the national economy of more than \$1.5 billion.

Road and trail work is the keystone of the program. Any reduction in road and trail work scheduled for any given year of the decade will delay progress in all other sectors of the program. Construction scheduled for the period will cost \$1,686,489,000. It is to be financed with \$1,212,479,000 of appropriated funds and \$474 million by purchasers of timber. During the same period \$242 million will be required for maintenance of which \$181,500,000 will be from appropriated funds. To accomplish this work, authorizations of \$50 million, \$70 million, and \$85 million, respectively, for fiscal years 1963, 1964, and 1965 are necessary.

Since maintenance takes first priority, any reduction below these levels of authorization will cause a corresponding reduction in funds for construction. The total miles of timber roads planned must be built anyway in order to meet the timber-harvesting goals sought by the logging and lumbering industry. Authorizations for less than the amounts being asked for will make it necessary for the buyers of timber to do a greater percentage of the work. This shift of road construction work to timber buyers will reduce receipts to the Treasury and the 25 percent payments to the counties. Many important fire control and recreation roads would be deferred to future years.

Accessibility is the absolute key to the accelerated requirements for intensified use of recreation resources in combination with an accelerated timber harvesting program asked for by the President. Accessibility is also the key to the protection of the vitally important national forests and their watersheds from fire and destructive pests. This accessibility can only be provided through an accelerated roads and trails program.

Accordingly, Mr. Chairman, I would like to offer the following amendment to H.R. 9725:

Substitute for paragraph (3), section 2, the following:

For forest development roads and trails, an additional \$10,000,000 for the fiscal year ending June 30, 1963; \$70,000,000 for the fiscal year ending June 30, 1964; and \$85,000,000 for the fiscal year ending June 30, 1965.

You will note that this language would amend H.R. 9725 to conform with H.R. 11199, also under consideration at this hearing.

Thank you.

I would like to point up one very important phase of consideration that we hope this committee will give to the forest roads and trails item mentioned in this bill. At the present time the bill H.R. 9725 rests at \$40 million. We are very much in support of the figures included in H.R. 11199, increasing that amount by \$10 million for fiscal year 1963, and \$70 million for fiscal year 1964, and \$85 million for fiscal year 1965.

In support of that I would like to say that coming from California and representing the type of district I do, it includes 19 of California's counties. Its area amounts to about 53,000 square miles, and each and every county participates in this program. We are very much interested in seeing the forest roads and trails program expanded. It has been expanded in the past through the consideration of this committee, and I am certain that every dollar that was put into the program has been returned to the Federal Government, or will be returned to the Federal Government. I am sure that the figures we ask for in this particular bill will be returned over the years.

You have heard from many of the experts representing the Departments here in Washington. I think the testimony by Mr. Greeley was a very factual statement which covered everything I could say, and I would only be repeating if I were to go into the details of his statement; but in opening up the forest roads and trails we do four main things to the area that we are talking about. We are trying to open up our forests for recreation; we are trying to open up our forests for the proper harvesting of timber, and we are trying to open up our forests for the multipurpose uses such as control of disease, fire control, and proper management, as well as in opening up these forests we do a much better job in the harvesting of the timber.

I might say that these roads provided for by the Federal Government in our forests bring in more competitive bidding when these timber sales go up for bid. There are more people who are able to participate and the returns to the Government are greater, and, in turn, the counties benefit. I have 19 counties in my district and each and every county participates in the forest receipts returned to the county. In some counties it amounts to as much as \$1 million a year, and to a small county that is a sizable item. It is split up and used 50 percent for county roads and 50 percent for the schools.

I believe you gentlemen realize every county that participates in this program is very thankful for the consideration given to this particular item, because this means a great deal to us, not only in receipts, but in the recreational uses that the people make of this great resource we are trying to perfect. In California this resource in my district is the main economy as far as our counties are concerned. I believe that the tourism dollar, or the recreational dollar, whatever you want to call it, is the No. 1 industry in my particular area. Some of the counties tell me they depend on the tourism dollar to the extent of 6 percent of their funds, and most of it comes from people who come

in there and who use the very roads we are talking about to seek their recreation. We have a vast forest area in California which amounts to 22 million acres of land in our State. Fourteen million of those acres are within my congressional district. We have 10 complete national forests and parts of 3 others, and a great deal of national park land.

Therefore I ask your committee to give real consideration to the increased amounts that we ask for in the present bill which is before you, and the Fallon bill, which we hope would be amended if it were going to be the bill approved, so as to include these amounts.

When your committee meets in executive session I would like to have you give us consideration on the proposed amendments to the Fallon bill, and the Scherer bill, and I would support H.R. 11199 because it does have these figures in it. However, I know that your committee will consider all of the legislation, and I hope that the forest roads and trails items are increased in this authorizing legislation for the A-B-C program.

Mr. FALLON. I thank our colleague for his presentation of the problems of his State. We certainly in the past have been very sympathetic and continue to be.

Mr. JOHNSON. I thank you, Mr. Chairman. I certainly want to say we have appreciated the past considerations of this committee.

Mr. SCHERER. May I ask our colleague one or two questions?

Mr. JOHNSON. Yes; go right ahead.

Mr. SCHERER. I understand that Mr. Womack is the State highway director of the State of California.

Mr. JOHNSON. Mr. Womack is the State highway engineer.

Mr. SCHERER. As I recall it, he is the top highway man, though, in the State of California?

Mr. JOHNSON. Yes; he is, and we have a director of public works. Mr. Bradford is the director of public works and also chairman of the California State Highway Commission, but Mr. Womack is the State highway engineer, and through his office pretty nearly all of the highway work is done.

Mr. SCHERER. And Mr. Womack is also this year's president of the American Association of State Highway Officials.

Mr. JOHNSON. Yes. Our State was very highly honored when he was elevated to the presidency of the American Association of State Highway Officials.

Mr. SCHERER. And you are familiar with his testimony before this committee in connection with these very hearings?

Mr. JOHNSON. Yes; I was present when he was here the other day.

Mr. SCHERER. You read the telegram this morning from your Governor, overruling the testimony of Mr. Womack, his highway director now?

Mr. JOHNSON. I think in the telegram, Mr. Scherer, if I read the telegram properly or correctly, I believe he said that Mr. Womack was here representing the American Association of State Highway Officials, and the legislative committee of that body, and he presented their views, and not the views of the State of California. I think the telegram very pointedly points that out.

Mr. SCHERER. I realize Mr. Womack was here representing the American Association of State Highway Officials, but I understand from his testimony that these were also Mr. Womack's views, and that he participated in the policy adopted by the American Association of

State Highway Officials. We must admit that the position that your Governor now takes with respect to the legislation before us is different from that stated before this committee by Mr. Womack, who is an authority, and perhaps one of the outstanding authorities on highways in the United States.

Mr. JOHNSON. Mr. Scherer, I don't want to——

Mr. SCHERER. We have a similar situation in my State. Mr. Preston is a prominent and active member of the American Association of State Highway Officials, and I see now that our Governor has overruled Mr. Preston's position with reference to this legislation. It seems to me that the men who understand highways are now being overruled by the politicians.

Mr. JOHNSON. In his telegram the Governor states here that Mr. Womack appeared in the capacity of president of the American Association of State Highway Officials before you on April 17, of this year, presenting in the main the policy statement of that association as adopted in its annual convention last fall, and the views of its legislative committee, representing many States.

Mr. SCHERER. I understand, and I agree that he did that, but what I am saying is, it is my understanding that those were also Mr. Womack's personal views on this legislation, and that he helped to formulate, as president of that association, the position taken by that association before the committee with respect to the legislation now before us. You seem to have a little bit more trouble in California about what position is taken with respect to the legislation before us.

I have a statement here of Frank C. Balfour, perhaps one of the outstanding authorities in the country on these matters. He prepared a statement with specific reference to section 3 (a), (b), (c), and (d), entitled "Assistance for Displaced Families and Businesses." Mr. Balfour was chief right-of-way agent for the California State Highway Right-of-Way Department, and he was chairman of the right-of-way committee of the American Association of State Highway Officials. He was one of the founders of the American Right-of-Way Association, the national chairman of the American Right-of-Way Association, the national executive vice chairman of the American Right-of-Way Association, and is now full-time national executive vice chairman of the American Right-of-Way Association.

Of course, his report or his testimony in this statement agrees with that of Mr. Womack, and is opposed to the position taken by your Governor as outlined in the telegram you just read. This was prepared for this committee, so we might as well have all of the viewpoints of the people in California together. I ask that Mr. Balfour's statement be made part of the record at this point.

Mr. FALLON. If there is no objection, it is so ordered.

(The statement of Frank C. Balfour is as follows:)

STATEMENT¹ OF FRANK C. BALFOUR, RELATIVE TO THAT PORTION OF H.R. 11199, "ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES" (SEC. 3)

This statement is submitted by Frank C. Balfour, as an individual and not on behalf of the American Right-of-Way Association.

The American Right-of-Way Association is a nonprofit, educational organization, operating throughout the United States and Canada, with the basic purposes

¹ Statement submitted by Frank C. Balfour, as a public right-of-way acquisition expert, specializing in State highway right-of-way work on proposed inclusion in H.R. 11199 (or any other congressional legislation of similar provisions) of sec. 3 (a), (b), (c), and (d), entitled, "Assistance for Displaced Families and Businesses."

of the association being to unite the efforts of all right-of-way men toward improved techniques in public and quasi-public right-of-way and land acquisition; to promote high standards and a cooperative spirit among its members; to assist its members in better educating themselves to better serve their employers; to engender in its members attributes which elevate the profession and to provide mutual protection and advancement for its members.

The American Right-of-Way Association operates under a strict code of ethics and stands on the basic principle of competently handled, honest, completed transactions and the articles of incorporation of the association prohibit participation in politics or political activities in any way.

It is my considered opinion, based upon many years of experience in handling right-of-way acquisition for proposed State highway construction, especially in connection with the inconvenience and disruption of the normal life of affected occupants of residential, business, industrial, and agricultural properties that, unfortunately, the type of legislation proposed in H.R. 11199 and other bills that have been introduced in the House and Senate is aimed at the correction of the results of a crash highway construction program as it affects property owners, rather than being properly aimed at the cause of the situation.

In this connection, you are asked to consider the several, following, important factors:

1. The Federal interstate highway program was initiated by enactment of the Federal highway legislation of 1956 and immediately upon passage of this legislation that had been under consideration for several years, there was an insistent demand on the part of the Federal administration and Federal agencies; also by the Governors, State legislatures, civic bodies that supported the legislation, and the American Association of State Highway Officials that the several States make an immediate showing in awarding contracts for construction.

It is conceded that a limited number of the State highway departments were not properly organized and staffed to handle this large, increased construction program on a crash basis. In practically all of the States, this situation has been corrected, notwithstanding the fact that compensation paid to engineering and right-of-way personnel is far below the standards of compensation paid for similar type work in private enterprise. We must face up to the fact that, in this modern day and age, we get only what we pay for and that, unfortunately we still have the situation in some of the States where the salary offered for men who are supposed to be of professional capacity and experts in public right-of-way and land acquisition are less than the salaries paid laborers on highway construction projects.

Florida and Massachusetts are two outstanding examples where State governments have attempted to secure the services of trained, experienced, and competent right-of-way professionals at salaries of \$125 to \$135 a week.

2. Proper consideration, in many cases at the State level, has not been given to proper coordination of the overall program with the result that little or no consideration has been given to allowance of required leadtime between completion of the design function and the initiation of the construction function in which to handle the all important right-of-way acquisition function.

3. It is of vital importance that sound educational, in-training programs be initiated within the weaker State highway right-of-way departments to the end that right-of-way department personnel is properly educated and given the proper background of basic training to handle this important function.

Fortunately, the American Association of State Highway Officials, with the full cooperation of the Bureau of Public Roads, National Appraisal Societies and the American Right-of-Way Association, has taken immediate steps to eliminate this void.

4. The very basic foundation upon which successful negotiations can be accomplished is sound right-of-way valuation procedure, handled by thoroughly experienced, competent, and honest right-of-way valuation experts to determine the fair market value to which affected property owners are entitled; compensation that is fair to the affected property owner and fair to all of the other taxpayers.

It is of vital importance that this function be carried on by right-of-way valuation experts and not by general real estate appraisal practitioners.

5. It is my considered opinion that any proposed legislation, to properly protect and assist displaced families and businesses, should be aimed at the cause of the problem—lack of proper leadtime to carry on the right-of-way acquisition function—and not at the result of inadequate leadtime.

6. The right of the Federal Government, and several of the States under statutes, to file a declaration of take in the court of jurisdiction, at which time title to the required land actually passes to the governmental agency and at which time the agency may, legally, take immediate possession, and the statutes of other

States, permitting the right of immediate possession, filing proceedings of eminent domain in the proper court of jurisdiction, is a sound legal procedure. Unfortunately, the legal privilege of "right of possession" has, at times, been abused by administrative officers in their determination to get construction underway. In other words, too many governmental agencies lean too strongly on the right of eminent domain without giving proper consideration to the affected property owners who are the taxpayers and who, in turn, pay their salaries.

It has long since been proven in major public construction operations such as the huge California State highway construction program that, under proper co-ordination of the various secondary activities that go to make up the major feature of the entire plan, the actual construction, under proper planning procedure, no property owner or tenant in an affected property suffers any hardship under present existing laws and procedures that give every tenant in possession a reasonable period of time to consider an offer of settlement and in the event negotiations fail and the property must be acquired by eminent domain proceedings, a reasonable period of time in which to relocate and rehabilitate themselves.

Proof of this statement is the fact that in States such as California, where in the neighborhood of \$200 million per year is being expended for the acquisition of land, and approximately 10,000 parcels are being acquired each year, the occasions when an order of immediate possession is taken and a writ of assistance is required to remove the tenant in possession are very remote. As a matter of fact, in the California State highway operation, I am advised that only 2 or 3 tenants in possession have been evicted by court procedure in connection with the last 40,000 or 50,000 parcels that have been acquired for State highway right-of-way.

I sincerely believe that, except in those emergency cases such as national defense and flood control projects handled by the Army Corps of Engineers, the enactment of the legislation proposed under H.R. 11199 would result in similar type of legislation being forced upon the majority of the several States and such enactment would include quasi-public agencies that enjoy the right of eminent domain and such an overall legal procedure could well, during the next 10 or 11 years, cost the taxpayers of our Nation several billions of dollars in increased costs of right-of-way and land acquisition.

This, in my opinion, is unjustified for the clear-cut reason that the citizens of our Nation, who are privileged to live under our democratic form of government, certainly assume some obligations in connection with this privilege and one of the obligations is the necessity of the individual citizen landowner to give up such ownership when such concession is for the benefit of all of the citizens, and the proposed construction project represents the greatest possible public benefit with the least possible private property damage.

May I briefly analyze the difference between a real estate transactions under the general circumstances we are discussing and a normal real estate sale between two private parties. Let us assume that the transaction represents a consideration of \$20,000.

1. The owner receives the fair market value from the public agency, and it is, of course, the duty and obligation of the acquiring agency to be certain that full, fair market value is paid. However, if the sale is between private parties, the seller may or may not receive the full, fair market value, especially if the buyer is a good "horse trader."

2. In the sale to a public agency, the affected property owner receives cash; however, in the sale to a private party, usually some cash is paid and the balance is paid on terms, with the seller assuming a reasonable risk.

3. In the sale of this \$20,000, residential property, the usual and normal practice calls for the seller to pay a real estate broker a 5 percent commission, or \$1,000. However, in a sale to a public agency, seldom, if ever, is a commission paid.

4. Under usual procedure, the seller would be required to supply the buyer with a policy of title insurance in the amount of \$20,000; the cost of the policy is approximately \$142.50.

5. If, by chance, in a private sale title to the property is clouded, the seller might possibly have to pay several hundred dollars in legal costs to get his title cleared. However, in the sale to a public agency, the public agency will assume the major portion of the work and cost of clearing such faulty title.

If there is proper planning and coordination in the overall, proposed, public improvement and proper leadtime allowed for the right-of-way acquisition function, property owners and tenants in possession should and usually do receive a minimum period of 6 months and, in most cases, from a year to 18 months to re-adjust, relocate, and rehabilitate themselves at a new location and the savings in

real estate commission and usual seller's cost represent a sum of money well in excess of their out-of-pocket cost because of the necessity of having to vacate the premises being acquired by the public agency.

I am of the firm opinion that all governmental agencies, whether they be at the Federal, State, county, or local level, can and should be required to so coordinate their overall public improvement program so that affected property owners and tenants in possession are allowed a reasonable period of time to complete the real estate transaction through the modern negotiation process and additional time, if necessary, in the event settlement cannot be reached and the transaction must be concluded through eminent domain proceedings; that if any legislation changes are to be made, they should be aimed at the overall planning and procedure of governmental agencies and not at further giveaway programs.

In making this statement, I again call to your attention that it is the basic philosophy of the right-of-way profession that every property owner should be paid fair compensation for the taking of private property for public improvements and that a reasonable period of time should be allowed, between the conclusion of the acquisition and the required public possession of the property, in which to relocate themselves.

Statistics clearly indicate that during the period July 1, 1960, to June 30, 1971, governmental agencies and quasi-governmental agencies in the United States will expend in excess of \$60 billion for right-of-way and land acquisition for public and quasi-public improvements. It follows that the Members of Congress should realize and clearly understand that this type of legislation could result in an additional and unnecessary and unreasonable outlay of the taxpayers' money that could well amount to between \$7 and \$15 billion, and while an eyebrow may be lifted when I include quasi-public agencies having the right of eminent domain that would be affected by this type of legislation, you may feel that part of this huge sum would be an outlay on the part of the stockholders of public utilities and other quasi-public agencies. However, we submit that, under the laws of our Nation, the stockholders are entitled to a fair return on their investment and any increased capital investment obviously results in an increase in rates and the taxpayers pay the rates.

I am in complete agreement that all landowners and tenants in possession should receive equal consideration and equal treatment by all agencies but I believe that the problem that the General Services Administration has submitted to the Congress which has resulted in the introduction of H.R. 11199 is an attempt to correct the results of existing operations and conditions through a tremendous and unnecessary outlay of public funds rather than to proceed on the basis of correcting the problem at the source as suggested above.

H.R. 11199 proposes to "assure decent, safe, and sanitary housing to families displaced by construction of highways forming a part of the Interstate System" and touches upon a problem which appears simple, readily understandable, and easy of solution. The fact of the matter is, the subject is not simple; it is most complex.

Despite the laudable objective of assuring decent, safe, and sanitary housing to a certain sector of American society which may be displaced by public improvements and particularly by highway construction in the cost of which the Federal Government is participating, such a proposal and similar proposals should be subject to the usual tests of need. I submit that there is a serious question as to whether this type of bill will represent, over all, remedial justice. Because this type of legislation will, without a doubt, lead to similar types of legislation at the State level and will only substantially increase the cost of public and quasi-public improvements to the taxpayers and also to the ratepayers, it is urgently suggested that this proposed legislation be referred to the Select Subcommittee on Real Property Acquisition of the Committee on Public Works of the U.S. House of Representatives, under the chairmanship of Representative Clifford Davis of Tennessee, for careful study and recommendations back to the House Public Works Committee as a whole, before this very important legislation is considered for enactment.

In this connection, I submit for your consideration the fact that if a tenant in possession is occupying the premises under a lease agreement and there is no special provision to protect the fee owner in case of the property being taken under eminent domain, the tenant in possession, under the lease, secures a bonus payment consistent with the remaining value of the lease and in cases where the tenant in possession is not occupying the premises under the terms of a lease, the fee owner, under the legal provisions in all States, may evict the tenant in possession under presently prescribed legal proceedings.

Certainly, when governmental agencies come into possession of the fee ownership of such occupied properties, they are at least entitled, under reasonable conditions, to exercise the same rights as a private, individual owner.

I note with concern that one of the provisions of the proposed legislation requires that the Federal Government and the State cannot enter into an agreement for the construction of an interstate highway project or other Federal-aid project until the State assures that there are provided, or are being provided, housing facilities equal in number to the number of displaced individuals and families. In addition, the facilities must be in an area not generally less desirable than the area of such project, etc.; the facilities must be "available" to the families. They must be "reasonably accessible" to places of employment. The dwellings must be at rental rates "within financial means of the affected individuals and families."

Basically, the assurance which the State is required to make can well lead to arguments and contentions over such assurances which could well bring the interstate construction program to a complete halt or to long and critical delays in completion of the program for the reason that allegations by any small group or any individual that facilities are not equal in number or are not reasonably accessible or are in areas generally less desirable or are not within the financial means of the affected occupant could well become a subject of almost endless debate and could preclude the achieving of agreement so that the proposed, federally financed project could be initiated.

The highway program could become a subjective problem of establishing a housing program which was never intended to be within the concept of the highway construction program as this is the function of other governmental agencies.

PAYMENT OF MOVING COSTS DOES NOT GET AT THE ROOT OF THE PROBLEM

The real problem and the solution, basically, have to do with the time permitted persons and families to plan and make arrangements for necessary moves.

If property owners are suddenly descended upon by an importunate State government and forced to move in a period of 1, 2, 3 months, without any prior notification, it is obvious that distress occurs and a real burden is placed upon property owners and tenants. Moving costs are one of the burdens.

But, if families are given ample time, if they have notification 3 to 6 months before their property is appraised and if they are given ample and reasonable time to consider the offer made to them for the property; if adequate time is permitted to find reasonable substitute locations: citizens so affected will be able in nearly all cases to take care of themselves.

The root of the problem goes to the amount of time given by the State highway organization to its citizens. In right of way parlance, this problem is called "adequate leadtime." There must be ample notice; appraisals and negotiations cannot, must not, be achieved overnight. Reasonable time for considering the offer and for planning a move must be given.

It is a true, but amazing, commentary that adequate leadtime in many States is not provided. It may be premised that it is this unwise rush to get jobs to contract that has caused serious disruption and hardship.

Legislation, if needed at all, should go to the heart of the matter. No interstate project and no State project should be pushed without adequate leadtime.

Thoughtful consideration of this entire matter will lead the skilled observer to question the need (and indeed the wisdom) of advocating any legislation which attempts to control by fiat so complex a matter. Proper leadtime will achieve most of the beneficial results desired; but leadtime varies according to each project, each neighborhood affected, each environment, etc. It is at this point that one sees the importance of addressing local and State administrative talent to the specific problem of determining optimum leadtime which will bring order, efficiency, and equity into each right-of-way acquisition program. Local government, State government, and National Government cannot hide the need for efficient administrative decision behind broad sweeping national legislation that is ill advised and ill conceived and will not go to the root of the matter. The citizens who are paying for these right-of-way acquisition programs deserve proper administrative decisions and adequate leadtime in every highway project throughout the Nation.

In conclusion, we recognize that the Department of Defense, functioning through the U.S. Army Corps of Engineers, should properly have the authorization they now have from the Congress to reimburse affected property owners and, in certain cases, tenants in possession, when properties are being acquired on an emergency basis, in connection with the function of national defense.

I also believe that the Army Engineers should have the same authorization in cases where they are concerned with emergency flood control projects to protect the lives and property of the citizens of our Nation. I am aware that, under these two sets of circumstances, there have been in the past and will be again in the future cases where these two vitally important governmental functions require the initiation of eminent domain proceedings and the necessity for the parties in possession to vacate the premises and remove all personal property on extremely short notice.

I also recognize the justification for similar relocation payments under the nationwide redevelopment program where privately owned property is taken by a governmental agency, under the threat of eminent domain, with the acquired property later being deeded back, in most cases, into private ownership for the obvious financial benefit of the acquiring, private owner.

I submit that the two types of cases above referred to and perhaps in a very limited number of other governmental operations, reimbursement for a relocation should be considered but, in conclusion, I submit for your consideration that a sound, well-coordinated program of procedure, allowing proper lead time for the right-of-way acquisition function will represent only a minimum of delay in the completion of the nationwide system of highways in the cost of which the Federal Government is participating and with competent, efficient, and honest right-of-way acquisition procedures by properly trained and experienced right-of-way personnel, the necessity for this type of legislation can be eliminated.

I further point out to you that it is unreasonable and unfair to penalize all of the State highway right-of-way departments and all of the taxpayers, because of the "sins of omission" on the part of a very limited number of governmental agencies.

QUALIFICATIONS OF FRANK C. BALFOUR

1920-30: Private real estate broker, specializing in real estate financing in southern California.

1930 (January 1, 1961, date of retirement): Employed as right-of-way agent by California Division of Highways.

1941-61: Chief right-of-way agent, California State Highway Right-of-Way Department.

1946-59: Chairman, Right-of-Way Committee, American Association of State Highway Officials.

1934: Founder, American Right-of-Way Association.

1946-57: National chairman, American Right-of-Way Association.

1957-61: National executive vice chairman, American Right-of-Way Association.

1961 to date: Full-time national executive vice chairman, American Right-of-Way Association.

Mr. JOHNSON. Might I make a brief reply to Mr. Scherer's statement?

Mr. FALLON. Certainly.

Mr. JOHNSON. I think we in California have treated many of the people pretty nearly the way you would want them treated in this particular piece of legislation, although it is not a matter of law. I had a pretty thorough discussion with Mr. Womack when he was here, and I have also talked many times with Mr. Balfour. He was our chief right-of-way acquisition agent or representative. When I was in the State senate we went into this very thoroughly. We advanced a \$50 million fund as a revolving fund for the acquisition of rights-of-way in advance of the highway projects.

I think in many, many instances our right-of-way people in their negotiations with the property owners, took care of the very thing we are talking about in this particular piece of legislation. There was a time when we did not do that, but lately we have been giving consideration to many of these people who are affected and displaced because of our highway program in California. This is the very treatment you ask for in this legislation.

By virtue of the fact that the legislature made available this \$50 million revolving fund for the acquisition of rights-of-way, it gave us ample lead time with reference to all of these projects. Advanced planning in California is about as good as you can have it at the present time, I think.

Mr. SCHERER. I think that is right.

Mr. JOHNSON. We are giving consideration to every person. I happened to be very close to this when I was mayor of a little city. We had a big freeway go right through the middle of town, and it took out half of the town when it went through there. I know in those negotiations back in 1947 and 1948, things were not so good. Our right-of-way people did not give them the consideration they are giving them now. Our people were very adversely affected by having to move and find new places to live, but from that time on, since the legislature provided the revolving fund for the acquisition of the right-of-way, they have given much fairer treatment to the people affected and displaced by the location of our highways.

Mr. SCHERER. Mr. Balfour in that statement discusses in detail just what you testified to, and points out that what has been done in California is now being done in many States, and could be done in all States, but he comes to the conclusion that the provision with reference to displaced persons in the Buckley bill should not be included in Federal legislation.

Mr. JOHNSON. That might be Mr. Balfour's statement now, but Mr. Balfour, when he was with our right-of-way division, through the school of hard knocks finally came around to giving the people the treatment that this bill calls for; it is not a written law in California, but they are doing it now.

Mr. SCHERER. Do you pay for moving costs in California?

Mr. JOHNSON. Well, almost.

Mr. SCHERER. I didn't gather you paid any moving costs from Balfour's statement.

Mr. JOHNSON. I couldn't say because the negotiators who negotiate with the individuals whose properties are affected, are giving very broad consideration to the overall effects on the people who are involved. This is not a written law in California.

Mr. BALDWIN. Mr. Chairman.

Mr. FALLON. Mr. Baldwin.

Mr. BALDWIN. Mr. Johnson, you do not dispute the fact, however, that the telegram from the Governor indicates only the Governor's views and does not indicated that Mr. Womack changed his views? Is that right?

Mr. JOHNSON. No; I don't want to speak for Mr. Womack. He is very able to speak on this subject himself. I merely read the Governor's statement, but the Governor, in sending this telegram, acknowledged the fact that Mr. Womack had been here on April 17 and testified with respect to these matters; but in the telegram it appears to me the Governor points out that Mr. Womack appeared here as president of the national association, the American Association of State Highway Officials, and presented the views of the legislation committee of that association, who had met and adopted certain policies.

Mr. FALLON. Thank you, Mr. Johnson.

We are honored now to have one of our former committee members and colleagues, Mr. Trimble.

I want you to feel just as much at home here now as when you were a member.

**STATEMENT OF HON. J. W. TRIMBLE, A MEMBER OF CONGRESS
FROM THE STATE OF ARKANSAS**

Mr. TRIMBLE. Yes, Mr. Chairman, I spent some very pleasant and happy years with this committee.

Mr. Chairman and members of the subcommittee, the Forest Service people in my area tell me one of the greatest needs for our national forests is for additional funds to maintain and improve roads.

Timber, recreation, and other developments are being accelerated in our forest program. Without good roads this work will not be as effective as it should be.

It is my hope you can recommend substantial increases in the authorizations for the forest highway system and for forest roads and trails.

Thank you.

Mr. FALLON. Thank you, Judge Trimble. We certainly will give full consideration to your wishes.

We will now hear from another colleague, Mr. Olsen.

**STATEMENT OF HON. ARNOLD OLSEN, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MONTANA**

Mr. OLSEN. Mr. Chairman, increased Government funds for construction of national forest access roads is not the only need of the forest industry and will not correct all of the problems of the forest products industry.

However, forest access roads constructed by public funds will accomplish important conclusions.

First, obtain for the Nation the kind of roads necessary to reach the objectives of multiple use of the national forests, such as (a) outdoor recreation, (b) range grazing, (c) timber production, (d) watershed development, and (e) wildlife and fishing activity. A timber purchaser can only be required to build the type of road which a "prudent operator" would find necessary to remove the timber for a particular sale. A timber purchaser should not be forced to build roads to serve the needs of other users. The road constructed by the timber purchaser is a good road for this purpose, but not sufficient for the new multiple user. In Montana we will probably need both kinds of roads.

Second, forest development roads would be built to higher standards for all users and economically if professional road contractors were to participate competitively in the program.

Third, the local governments (schools and counties) would receive more revenue if the roads were built by appropriated moneys rather than by the timber purchasers. The cost of the road built by timber purchasers is deducted from the price obtained for the timber, the stumpage; thus, the local government's share, which is 25 percent of the gross receipts, would be correspondingly reduced. Correspondence from county commissioners in my district advocate increased

appropriations for the construction of forest development and access roads for this reason.

Fourth, a recent engineering study by region 6 of the Forest Service discloses that maintenance and hauling costs for the timber operators themselves as well as reconstruction and maintenance cost of roads built by timber purchasers for the Government makes such roads most expensive. The study concludes there is poor economy in such timber-purchaser-constructed roads and bridges.

Fifth, the multiple-use road is absolutely demanded by the new users—the number of recreation visits in the national forests have veritably exploded and will certainly double from the 100 million at the present time to 200 million by the end of only 10 more years.

Sixth, the national economy will require a timber harvest of at least 13 billion board feet 2 years from now, compared with the 11.2 billion board feet of last year. Last month, I joined with other western Congressmen urging the President to increase his then recommendations of \$40 million for fiscal year 1963. He declined to increase them to the level that I then suggested. However, I understand that he will accept higher figures than those communicated to the Congress last September. As a compromise, I sincerely and vigorously recommend to the committee that you authorize an additional \$10 million, making a total of \$50 million for next year; \$70 million for the fiscal year ending June 30, 1964, and \$85 million for the fiscal year ending June 30, 1965. These additional amounts would reflect themselves in Montana by almost doubling the \$3.6 million of 1961 to \$6.1 million for the fiscal year ending 1965. This additional would be a great assistance to the timber purchasers because it would materially reduce their costs. And very rightly so, because the burden of constructing the roads into the forest should no longer be solely that of the timber purchaser. Timber purchasers pay all the kinds of taxes that are paid by other highway users and they are entitled to their share of the public investment. And, as I have said, the other users of the forest are entitled to better roads, too.

Thank you for your early consideration of H.R. 9725 and H.R. 11199 and that they be amended as I have recommended.

Mr. FALLON. Thank you, Congressman Olsen.

Our next witness this morning is representing the Consulting Engineers Council, Mr. C. C. Pate.

Mr. Pate, are you accompanied here by Mr. Kahl?

Mr. PATE. Yes, sir.

Mr. FALLON. Mr. Kahl, would you like to come up and accompany Mr. Pate?

STATEMENT OF C. C. PATE, CONSULTING ENGINEER, TULSA, OKLA.; ACCOMPANIED BY WILLIAM R. KAHL, BALTIMORE, MD., REPRESENTING THE CONSULTING ENGINEERS COUNCIL

Mr. PATE. Mr. Chairman and members of the subcommittee, I wish to express the appreciation of the entire membership of the Consulting Engineers Council for the opportunity of appearing before you today.

My name is Charles C. Pate, a consulting engineer of Tulsa, Okla., and I am speaking as a past president of the Consulting Engineers Council on behalf of the membership. The council is a national

organization consisting of 33 independent State and regional associations with a combined membership of approximately 1,550 consulting engineering firms serving their clients through the private practice of engineering.

The independent consulting engineering firms in the United States, the majority of which are members of the Consulting Engineers Council, firmly believe that the position of preeminence among nations held by the United States is primarily due to our past and continued adherence to the principle of private enterprise which includes the right of self-determination for each individual. Under this concept, there is a definite incentive for each individual to do his utmost to excel in the profession of his choice. The engineer in private practice has made that free choice of a profession not because of assurances of an exceptionally profitable career or continued security based on longevity of service, but he has chosen his particular profession in the firm belief that he has the knowledge to furnish a service to his clients that will be of extreme value to them. This concept of freedom of choice of a profession by the individual also carries with it a responsibility to perform the services required to the best of his ability at the lowest ultimate total cost to the client for the completion of the project and placing it in service. The members of the Consulting Engineers Council have reiterated that policy on several occasions and are bound by it when serving either individual clients or various governmental agencies on public works.

Our purpose in appearing before this subcommittee is to present the views of our members for inclusion of clarifying legislation to allow a more general use of the qualified engineers and engineering firms in private practice in this program to the benefit of Government. An indication of the benefits derived by using engineers in private practice was contained in Mr. B. D. Tallamy's letter to the General Accounting Office:

* * * work under the Federal-Aid Highway Act, of 1956, could not have gotten off the ground if consulting engineers had not been utilized in many States. We do not agree that the use of consulting engineers has increased costs.

* * * The use of consulting engineers for some of the work gives the States greater flexibility; enables them to secure experts for specialized problems particularly in urban areas; brings fresh, unbiased thinking into solving problems; creates incentive for better production of the States' forces by providing a yardstick of accomplishment; and enables work to be accomplished that would be impossible otherwise.

We do not believe that the present Federal Aid Highway Acts and the amendments thereto are unduly restrictive to the use of consulting engineering firms in private practice but as they are presently written they have been interpreted by the 1957 regulations for the administration of Federal aid for highways as issued by the Bureau of Public Roads, Department of Commerce, and implemented at the local level by Bureau of Public Roads' officials in a more restrictive manner. Under the definition, as contained in title 23, United States Code, the State highway department is described in section 302, as follows:

SEC. 302. State Highway Department: (a) Any State desiring to avail itself of the provisions of this title shall have a State highway department which shall have adequate powers, and be suitably equipped and organized to discharge to the satisfaction of the Secretary the duties required by this title.

This definition is further enlarged under "Part II: Regulations," paragraph 1.11, engineering services, subparagraph (d).

Private engineering organizations may be utilized on projects in accordance with requirements prescribed by the Administrator.

The 1957 regulations for the administration of Federal aid for highways as issued by Bureau of Public Roads, Department of Commerce, for the guidance of the regional and State representatives, state the following:

(3) The services of consulting engineers and private engineering organizations may be utilized on a contract basis for design, preparation of plans, specifications, and estimates, and in special cases for construction engineering other than general supervision, only under one or more of the following circumstances: (i) The work is of unusual character requiring highly specialized knowledge and experience; (ii) it would not be possible to enlarge the staff of personnel available to the State so as to perform the engineering services on the project within a reasonable time; or (iii) the State has a program substantially larger than normal or expected in future years and it desires to employ consulting engineers rather than build up its organization for a comparatively short period.

In other words, where they do not have personnel that can properly perform the services.

These regulations have frequently been interpreted by Administrators of the Bureau of Public Roads and of some State highway departments to mean that the State highway department shall, in all instances, maintain a sufficiently large organization to perform the preliminary planning, administration, and supervisory construction of highways, and in addition be sufficiently staffed to perform all of the intricate design, location surveys, and construction inspection required to insure complete compliance with the established and acceptable standards. Compliance with this request from the Bureau of Public Roads to meet peak demands results in an overstaffing of State highway departments. This often results in the employment of personnel who have been inadequately trained for the services required and reduces the overall efficiency. We believe that a more liberal use of consulting engineers working under the general supervision of the State highway department will provide these services when needed in a much more efficient method than a policy of overstaffing and expanding present State highway departments beyond a reasonable limit.

The question has often been raised, Is this not more expensive? No, it is not, because you use them only when you need them, and then they are off the payroll. When a State staffs up beyond their normal needs, that staffing usually is retained through the period of slack work, and it is a continuing cost.

Any rapid expansion of an organization either private or governmental invites and often results in both inefficiency and waste of professional talent. In this age of explosive expansion of technology, it is incumbent upon all of us to utilize the professional engineers to the best interest of the general public. This theory has been expressed in a position paper written for, and approved by, the following national engineering organizations on August 14, 1961:

American Institute of Consulting Engineers.

American Road Builders Association.

American Society of Civil Engineers.

Consulting Engineers Council.

National Society of Professional Engineers.

The text of this position paper is attached as an appendix to this presentation and the following excerpts therefrom indicate the beliefs of the engineers in private practice on the most efficient method of providing these services on Government projects:

(4) Engineering for Government at all levels is best accomplished by the effective use of the professional skills and experiences of engineers both in private practice and in Government service.

(5) Staffing of public agencies for engineering purposes beyond reasonable levels necessary to insure continuity, effective planning, administration, and control of public works projects is unwarranted.

(6) In the national interest, a healthy reservoir of engineering talent in all its branches must always be maintained so that in emergencies sufficient manpower can be immediately organized to design and oversee construction of vitally essential military facilities and public works. Recent wars have demonstrated the inestimable value of the rapid availability of thousands of competent engineers in private practice.

Engineers in private practice and those in public service have similar abilities, ingenuity, and the desire to further the highway program of our country, and the Congress has been so advised of the capabilities of both. We, therefore, suggest the elimination of the need for further interpretation of the intent of Congress, that private enterprise, upon which our country was founded, be recognized in the engineering of the highway program. This can be accomplished by revising chapter 3, of title 23, United States Code, section 302(a) to read as follows:

(a) Any State desiring to avail itself of the provisions of this title shall have a State highway department which shall have adequate powers, and be suitably equipped *with direct staff and retained consulting engineering services* and so organized to discharge to the satisfaction of the Secretary the duties required by this title. Among other things, the organization shall include a secondary road unit.

We have added the italicized words. The only thing we have added there is a reference to the direct staff and retained consulting engineering services, which, in other words, would be classed as the organization of the State highway department which would allow them in emergencies to use available engineers in private practice to supplement their own groups, and still come under the requirement that they be organized to perform the services.

We appreciate this opportunity to appear before you this morning and leave this report with you.

Mr. FALLON. If there is no objection, the entire statement of Mr. Pate will be made a part of the record at this point.

(The prepared statement of Mr. Pate is as follows:)

STATEMENT OF CONSULTING ENGINEERS COUNCIL

RECOMMENDATION FOR LEGISLATIVE REVISION—SUPPORTING STATEMENT ATTACHED

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ized to discharge to the satisfaction of the Secretary the duties required by this title. Among other things, the organization shall include a secondary road unit." [Emphasis supplied.]

Mr. Chairman and members of the subcommittee, I wish to express the appreciation of the entire membership of the Consulting Engineers Council for the opportunity of appearing before you today.

My name is Charles C. Pate, a consulting engineer of Tulsa, Okla., and I am speaking as a past president of the Consulting Engineers Council on behalf of the membership. The council is a national organization consisting of 33 independent State and regional associations with a combined membership of approximately 1,550 consulting engineering firms serving their clients through the private practice of engineering.

The independent consulting engineering firms in the United States, the majority of which are members of the Consulting Engineers Council, firmly believe that the position of preeminence among nations held by the United States is primarily due to our past and continued adherence to the principle of private enterprise which includes the right of self-determination for each individual. Under this concept, there is a definite incentive for each individual to do his utmost to excel in the profession of his choice. The engineer in private practice has made that free choice of a profession not because of assurances of an exceptionally profitable career or continued security based on longevity of service, but he has chosen his particular profession in the firm belief that he has the knowledge to furnish a service to his clients that will be of extreme value to them. This concept of freedom of choice of a profession by the individual also carries with it a responsibility to perform the services required to the best of his ability at the lowest ultimate total cost to the client for the completion of the project and placing it in service. The members of the Consulting Engineers Council have reiterated that policy on several occasions and are bound by it when serving either individual clients or various governmental agencies on public works.

Our purpose in appearing before this subcommittee is to present the views of our members for inclusion of clarifying legislation to allow a more general use of the qualified engineers and engineering firms in private practice in this program to the benefit of government. An indication of the benefits derived by using engineers in private practice was contained in Mr. B. D. Tallamy's letter to the General Accounting Office:

"* * * work under the Federal-Aid Highway Act of 1956 could not have gotten off the ground if consulting engineers had not been utilized in many States. We do not agree that the use of consulting engineers has increased costs.

"* * * The use of consulting engineers for some of the work gives the States greater flexibility; enables them to secure experts for specialized problems particularly in urban areas; brings fresh, unbiased thinking into solving problems; creates incentive for better production of the States' forces by providing a yardstick of accomplishment; and enables work to be accomplished that would be impossible otherwise."

We do not believe that the present Federal-Aid Highway Acts and the amendments thereto are unduly restrictive to the use of consulting engineering firms in private practice but as they are presently written they have been interpreted by the 1957 Regulations of the Administration of Federal Aid for Highways as issued by the Bureau of Public Roads, Department of Commerce, and implemented at the local level by Bureau of Public Roads officials in a more restrictive manner. Under the definition, as contained in title 23, United States Code, the State highway department is described in section 302 as follows:

"Section 302. STATE HIGHWAY DEPARTMENT.—(a) Any State desiring to avail itself of the provisions of this title shall have a State highway department which shall have adequate powers, and be suitably equipped and organized to discharge to the satisfaction of the Secretary the duties required by this title."

This definition is further enlarged under "Part II—Regulations," paragraph 1.11, "Engineering Services," subparagraph (d):

"Private engineering organizations may be utilized on projects in accordance with requirements prescribed by the Administrator."

The 1957 Regulations for the Administration of Federal Aid for Highways as issued by Bureau of Public Roads, Department of Commerce, for the guidance of the regional and State representatives, state the following:

"(3) The services of consulting engineers and private engineering organizations may be utilized on a contract basis for design, preparation of plans, specifications, and estimates, and in special cases for construction engineering other than general supervision, only under one or more of the following circumstances: (i) The work is of unusual character requiring highly specialized knowledge and experience;

(ii) it would not be possible to enlarge the staff of personnel available to the State so as to perform the engineering services on the project within a reasonable time; or (iii) the State has a program substantially larger than normal or expected in future years and it desires to employ consulting engineers rather than build up its organization for a comparatively short period."

These regulations have frequently been interpreted by Administrators of the Bureau of Public Roads and of some State highway departments to mean that the State highway department shall, in all instances, maintain a sufficiently large organization to perform the preliminary planning, administration, and supervisory construction of highways, and in addition be sufficiently staffed to perform all of the intricate design, location surveys, and construction inspection required to insure complete compliance with the established and acceptable standards. Compliance with this request from the Bureau of Public Roads to meet peak demands results in an overstaffing of State highway departments. This often results in the employment of personnel who have been inadequately trained for the services required and reduces the overall efficiency. We believe that a more liberal use of consulting engineers working under the general supervision of the State highway department will provide these services when needed in a much more efficient method than a policy of overstaffing and expanding present State highway departments beyond a reasonable limit.

Any rapid expansion of an organization either private or governmental invites and often results in both inefficiency and waste of professional talent. In this age of explosive expansion of technology, it is incumbent upon all of us to utilize the professional engineers to the best interest of the general public. This theory has been expressed in a Position Paper written for, and approved by, the following national engineering organizations on August 14, 1961: American Institute of Consulting Engineers, American Road Builders Association, American Society of Civil Engineers, Consulting Engineers Council, National Society of Professional Engineers.

The text of this Position Paper is attached as an appendix to this presentation and the following excerpts therefrom indicate the beliefs of the engineers in private practice on the most efficient method of providing these services on Government projects:

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"(5) Staffing of public agencies for engineering purposes beyond reasonable levels necessary to insure continuity, effective planning, administration, and control of public works projects is unwarranted.

"(6) In the national interest, a healthy reservoir of engineering talent in all its branches must always be maintained so that in emergencies sufficient manpower can be immediately organized to design and oversee construction of vitally essential military facilities and public works. Recent wars have demonstrated the inestimable value of the rapid availability of thousands of competent engineers in private practice."

Engineers in private practice and those in public service have similar abilities, ingenuity, and the desire to further the highway program of our country, and the Congress has been so advised of the capabilities of both. We, therefore, suggest the elimination of the need for further interpretation of the intent of Congress, that private enterprise, upon which our country was founded, be recognized in the engineering of the highway program. This can be accomplished by revising chapter 3, of title 23, United States Code, section 302(a) to read as follows:

"(a) Any State desiring to avail itself of the provisions of this title shall have a State highway department which shall have adequate powers, and be suitably equipped *with direct staff and retained consulting engineering services* and so organized to discharge to the satisfaction of the Secretary the duties required by this title. Among other things, the organization shall include a secondary road unit." [Emphasis supplied.]

POSITION PAPER ON ENGINEERING FOR GOVERNMENT

(Adopted Aug. 14, 1961, by Coordinating Committee on Relations of Engineers in private practice with Government)

Introductory

The coordinating committee is a joint committee originally created by five professional engineering organizations of national scope. The purpose of the committee is to coordinate efforts of the represented organizations in developing

unassailable facts and sound policies for use of engineers and architects in practice on public works financed by local, State, or National Government.

The committee was formally organized October 24, 1960. It is comprised of the following officially appointed representatives:

American Institute of Consulting Engineers: James P. Exum, New York; R. H. Tatlow, III, New York.

American Road Builders Association, Engineering Division: Maurice N. Quade, New York; George B. Hills, Jacksonville.

American Society of Civil Engineers: Mason G. Lockwood, Houston; Gustav J. Requardt, Baltimore.

Consulting Engineers Council: Hueston M. Smith, St. Louis; John G. Reutter, Camden.

National Society of Professional Engineers: L. M. VanDoren, Topeka; Stanley A. Michael, Omaha.

V. Weaver Smith, New York, was appointed as an observer by engineers joint council.

At its first meeting, the committee directed a subcommittee to draft a position statement on engineering for government. A revised draft of the subcommittee statement was subsequently adopted unanimously by the coordinating committee.

Position Paper

Engineers in the employ of Government, educational or other nonprofit institutions constitute a vital segment of the engineering manpower resources of the Nation. The balance of the engineering resources of the country is comprised of the equally vital pool of engineering employees and principals of private enterprise concerns. The latter group includes the human and other resources of firms in the private practice of engineering—traditionally, but now somewhat less aptly, called consulting engineers.

Under the American concept, the engineering needs of Government historically have been obtained through combined utilization of publicly employed engineering staffs and engineers in private enterprise, the services of the latter being procured through appropriate contracting procedures between Government and professionally qualified private concerns. There have been imperfections in the application of this well-established dual source of engineering for Government; there are no imperfections in the theory. It has been the sheer lack of information or of simple understanding, rather than the imperfections of application that has somewhat disturbed the wholesome relationship between public and private engineers and their respective adherents. Recurrent criticism and discussion of engineering costs and practices on publicly financed undertakings of local, State, and Federal Governments have clouded rather than clarified the basic issue on how the engineering needs of Government can best be satisfied. Sharp differences based on unwarranted conclusions are inimical to both the public and professional interest.

The engineering needs of all levels of government have increased phenomenally during the past two decades. The outlook is for continued increase. These need must be met by the effective use of the total available reservoir of engineering manpower consisting of engineers in Government and engineers in private enterprise.

Based on the foregoing and other relevant considerations, the coordinating committee therefore resolves that:

(1) Private enterprise is the basic, traditional foundation of the American way of life and must be preserved and encouraged.

(2) Government should govern, not compete with its citizens.

(3) The following stated general policy of the Federal Government is a sound policy for government at any level: “* * * the Federal Government will not start or carry on any commercial-industrial activity to provide a service or product for its own use if such product or service can be procured from private enterprise through ordinary business channels.”

(4) Engineering for government at all levels is best accomplished by the effective use of the professional skills and experiences of engineers both in private practice and in government service.

(5) Staffing of public agencies for engineering purposes beyond reasonable levels necessary to insure continuity, effective planning, administration, and control of public works projects is unwarranted.

(6) In the national interest, a healthy reservoir of engineering talent in all its branches must always be maintained so that in emergencies sufficient engineering

manpower can be immediately organized to design and oversee construction of vitally essential military facilities and public works. Recent wars have demonstrated the inestimable value of the rapid availability of thousands of competent engineers in private practice.

(7) The expanding economy and technology of the Nation are dependent upon expansion of the many elements of private enterprise. Government policies should provide a healthy atmosphere for development, expansion, and maintenance of private enterprise in engineering, in construction, and in industry.

(8) Governmental agencies should contract for engineering services with highly qualified engineers in private practice, consistent with the public interest, national security, and continuity of governmental programs and the requirements for quality, safety, overall economy, and time-benefit relationships.

Mr. FALLON. Thank you very much, Mr. Pate.

Are there any questions?

Mr. BALDWIN. Mr. Chairman, I have one question.

Mr. FALLON. Mr. Baldwin.

Mr. BALDWIN. Mr. Pate, if I understand your recommended wording, you would then make it compulsory for the State highway department to retain consulting engineer services because the way I read this paragraph with your revision there is a word "shall" earlier in the paragraph, and therefore it would read, "shall be suitably equipped with direct staff and retained consulting engineering services," and so forth. I do not think we should force the States to retain consulting engineers. I think they should have the option to do it, but certainly we should not tell them they must function in that way. It seems to me if we were to consider this amendment at all that the word "and" in your recommended language should be changed to "or" so it would then read in effect, "and be suitably equipped with direct staff or consulting engineering services. * * *."

Mr. PATE. Your comments are what we intended. We are not expecting and do not ask and do not believe it would be proper for us to instruct the States to retain consultants, but give them the permission to. The change from "and" to "or" would be more satisfactory for us.

Mr. BALDWIN. Thank you.

Mr. FALLON. Thank you very much, Mr. Pate. Mr. Scherer.

Mr. SCHERER. I am well aware of the excellent job that the private consulting engineers have done so far in connection with the new highway program. I feel in all proper cases they certainly should be utilized by the State highway department for the reasons set forth in the statement by the witness.

Mr. PATE. We appreciate those remarks.

Mr. FALLON. Mr. Pate, I think during the hearings held 3 or 4 years ago this very thing was discussed. It was the feeling, I think of everyone at the time, that the State highway departments should not build an engineering department that would take care of peakloads, and then when there was a falling off in that type of work that they would be carried to the next peakload. I think that was discussed at length by the Bureau of Public Roads, and also by some members of this committee. It seems that they all agreed on that particular matter, so I certainly do agree with you that there should not be a buildup just to take care of peakloads in the State highway departments. They should have some sort of a regular staff to take care of the ordinary things that the State highway department does, but when they come to the unusual problems it seems to me it would be cheaper for the State, and probably they would get a better job

done, if outside consultants were brought in. That was my feeling then and it is still my feeling.

Mr. PATE. Thank you, sir.

Mr. SCHERER. I think it was the intent of Congress at the time that the procedure be followed, as suggested by the Chairman and also by the witness. If the language of the present statute is not clear, perhaps we should do something to clarify it, because I think that is the intent of Congress and was the intent of Congress that private consulting engineers services be utilized in the highway construction program.

Mr. FALLON. At that time it was.

Mr. PATE. Apparently the interpretations as put on it by personnel in the Bureau of Public Roads indicate that the States should build up their organizations beyond those limits we are talking about. We do not believe that consultants can at any time replace the staffing required by State highway departments. We do believe we can do it better and cheaper on the peak loads and help to smooth the thing over, and also be able to expedite the program.

Mr. SCHERER. And your services can be used in instances where they have highly complex engineering problems.

Mr. PATE. That is right.

Mr. FALLON. May I again thank you, Mr. Pate.

Mr. Kahl, did you wish to say something?

Mr. KAHL. I wish to thank the committee similarly for permitting me to appear before you.

Mr. FALLON. Mr. Kahl, we are always glad to have a distinguished engineer with us.

Mr. KAHL. Thank you very much, and thank you, Mr. Chairman.

Mr. PATE. Thank you, gentlemen.

Mr. FALLON. I see one of our colleagues came into the room. He was scheduled to appear earlier this morning. We are honored by the visit this morning of the distinguished chairman of the Interstate and Foreign Commerce Committee, Mr. Oren Harris.

STATEMENT OF HON. OREN HARRIS, A MEMBER OF CONGRESS FROM THE STATE OF ARKANSAS

Mr. HARRIS. Thank you, Mr. Chairman and this most distinguished committee.

Let me first thank you for your courtesies. Somehow or other in my busy schedule I did not find out about the hearing this morning, or that I had the privilege of coming before you, and when your fine little lady called my office a few minutes ago I had to hurry up and clear my office out and get another committee going, because I did so much want to come to this committee in connection with this problem which you have before you.

Mr. FALLON. Mr. Chairman, won't you be seated?

Mr. HARRIS. Thank you.

I spoke to the chairman a few days ago expressing my interest in the program for the authorization of roads for our national forests. We are in the southern region, as you know. My own district contains the Ouachita National Forest, and, therefore, we have a great deal at stake in connection with the development of forest roads. We have two national forests in our State, the Ozark National Forest and

the Ouachita National Forest. Both of them are highly important to our State and to the Nation. Both of them are rather sizable operations, and we are very proud of them. Our people are very proud of these national forests, and are very anxious to cooperate, and they do cooperate in their maintenance and development.

We have been having problems with reference to roads over a period of time.

You gentlemen, Mr. Chairman, are much more familiar with the details of the program and the authorization than I. All I know about it is that we need some development down in our State, and the authorization has been so limited in the past that it makes a very small dent. We have been trying to get along with the present authorization program, working with and through our highway department in connection with the national forests. You have a bill before you here that would extend the present authorization, and I believe another proposal that would modify the present authorization, and over a period of time increase the authorization on a graduated basis.

Mr. Chairman, I feel this way: That by continuing with the limited authority we have under the law, we will never make any progress. It is quite obvious if we continue with the present authorization of this program of \$40 million a year that we just are barely going to keep up as we go along, and in no reasonably period of time can we expect the kind of roads that are needed and necessary in these programs.

I have obtained information through our local office in Hot Springs, Ark., which is a branch office, a district office, I believe it is called, and from talking to the people in the Atlanta office in the southern region, and the people in the Washington office. As a matter of fact, I arranged for Dr. McArdle to come to Arkansas last December. He spent 2 days down there with us in connection with the national forests. We had the privilege of visiting, or he did, their operations, and went clear through from Hot Springs at Ouachita National Forest to Mena, and over into Oklahoma. The Ouachita National Forest jurisdiction stretches from about Hot Springs, Ark., which is pretty much in the central part of the State, westward and on over into Oklahoma. It operates in both States.

I am convinced that if we are not able to do something about making available additional funds for this program, that the Federal Government is going to be deprived of this fully developed resource. The forestry people will tell you, yes, they can get by with what they have in order to get the timber out; and it is true they can, but they get by in spotty operations. I know that to be a fact because they can take one area where you have fairly good roads to accommodate them all, and they are going to center most of their operations in those areas. But you can take other areas where they do not, and not only are they deprived from adequately maintaining that forest, but the Treasury is deprived from reaping the benefits of it on a broad sustained basis. Instead they will center in this area, or in this area, wherever they can more conveniently and adequately get to it.

In my judgment there should be a program throughout the country that would give us adequate roads within a reasonable time.

As an example, if it were to be approached on the basis at this time of the total needs, I am advised that the total needs of the national

forests would be about 500,000 miles, which would cost over \$6 billion. In the southern region alone they have 62,000 miles of needed construction which would require an estimated \$1,150 million. In Arkansas alone in the forests we have estimated the need at 14,892 miles that would ultimately cost \$275 million.

I believe if we continue on the basis of only \$40 million yearly, it will be woefully inadequate to accomplish this needed purpose.

There is legislation pending which would, I believe, provide \$67½ million for 1963, \$90 million for 1964, and \$120 million for 1965. There are other proposals which would increase the authorization with, I think, \$50 million in 1963 and on up to a total of \$142 million in 1975.

Under the forest highway fund appropriation there are \$33 million. There is a bill proposed which would increase this amount to \$40 million in 1963, \$50 million each in 1964 and 1965, and so on.

Now, of course, we have the public lands highway fund, which would increase the authorization of that program, which I believe amounts to \$3 million and runs out this year, if I am not mistaken. That authorization would be increased to \$7 million.

So I do feel that if these various programs could be extended to whatever extent this committee in its judgment would determine, in order to enhance and improve and increase the program, it certainly would be in my judgment a wise action.

Particularly do I want to call attention to the need for such a road across Rich Mountain in Arkansas and Oklahoma. That goes right through the heart of the national forest. One of the things we have been stressing in this country is recreation and the value of recreation is something that has not been fully recognized over a period of time in connection with many of these projects. Rich Mountain is a mountain that is out of Mena, Ark. There is on top of this mountain a redevelopment program of the old Wilhelmina Hotel. Queen Wilhelmina was involved with financing it. I think they owned a majority of stock in the Kansas City & Southern Railroad at one time, which runs from Kansas City south and does go to New Orleans. She herself never did occupy the very fine building that is the hotel on top of this mountain, but it was completed and established at that time, and when she was on her way here she became ill in New York and was never able to go ahead. Well, as time went on they got rid of their stock in this fine railroad and the Deraniuses have been operating it now for several years, and the Couches prior to that time.

There is in our State a program for a State park right immediately on top of the mountain, and through State funds of our parks conservation program in the State they made it available for the restoration of this place. It is one of the outstanding scenic roads and places in the country. Senator Kerr and his people in Oklahoma and our people in Arkansas have been striving to get this developed. What is needed very badly is a forest road to be put across the top of that mountain, beginning at the foot of the mountain in Arkansas and going straight on across over into Oklahoma. They are very greatly concerned about it, and the highway department is very anxious to cooperate. However, it is a program which practically entirely, with the exception of this very short distance through the State park there, runs through the national forest itself. The national forest people would very much like to develop it, and we have a report which has

just been made by the Forest Service through the southern region as to the cost of this project.

I know in the program that you have here you cannot pick out any single road or trail and separate that from some other. You have to give a total authorization. However, they are striving for some way to develop this project, and we feel that with the increased needs of the national forest being met by this committee, should the authorization for the national park roads as contained in some of these bills be approved, and should the other two programs including the forest land development roads, which Senator Kerr started, as the committee knows very well, be extended, whereby this particular type of program could be utilized—as it was in Highway 59 in Oklahoma that crosses it going north and south—if some funds could be made available through that source, then the State highway department advises that if they could then contribute to it through the regular Bureau of Public Roads operation on a matching basis, that a combination of these circumstances could permit this development.

So I would urge the committee in their consideration of this program to keep in mind such instances as this which mean so much to our country and to our people. These things would be effectuated if these funds should be approved.

I have a map here, and with the permission of the chairman I would like to leave this with the committee for your files, just in case it might be of some benefit to the program. They have tentatively sketched out what the total cost would be and outlined what it would do. It would go right through the heart of this entire Ouachita National Forest and would be a road across the top of the mountain which would give a direct ingress for the forestry people to get in there with their whole development in order to get the full benefit and utilization of it, as well as making a contribution to the scenic phase of it and the recreational phase of it which would serve that particular area.

We are not asking for area redevelopment and we are not asking for the special funds that the Congress set up, so I think this particular place in eastern Oklahoma and western Arkansas could certainly qualify under those programs, but we are asking for something here that would be of benefit on a permanent basis, and be of lasting benefit to the people of this country.

Therefore I would urge this committee in its consideration of the problem to keep such matters as this in mind. Anything that can be done to assist our people in Arkansas and Senator Kerr and his people over in Oklahoma in connection with this, we would be very grateful for indeed.

Mr. FALLON. We thank you very much, Mr. Harris.

Are there any questions?

Thank you again.

Mr. HARRIS. Thank you for your courtesy in permitting me to appear before you.

If I may leave this document with you, I think it may be helpful. I know the other information I have discussed you have from the Forest Service, too.

Mr. SCHERER. May I ask one question, Mr. Chairman?

Mr. HARRIS. Yes.

Mr. SCHERER. Will this road have any other uses other than for scenic and recreational purposes?

Mr. HARRIS. And the forest operation itself. Naturally, the primary purpose for this committee in authorizing this would be to develop the national forest area. Presently on the Arkansas side there is a road that can be fairly well utilized through there, but when you get over to the western part of it on the Oklahoma side they do not have any roads through there of any consequence at all, even from the standpoint of the forest operation itself.

Mr. SCHERER. I was wondering whether the road might serve another purpose, namely, for ordinary transportation.

Mr. HARRIS. We have Highway 271, which is U.S. Route No. 271, which would be in the vicinity of the area, and then on the other side of the mountain below that we have State Highway No. 8, I believe it is, which could serve the purpose which the gentleman I think has in mind. We do have those routes available there, but when we were down there at the end of this past year, Dr. McArdle, Senator Kerr's representatives and myself, and the Governor and several others, they told us how many thousands of people, with the very inadequate roads they have now, visited that place last year. With just a little improvement it could be made one of the finest places for tourists and recreation in this country. People come from all over the country now to visit this spot.

Thank you very much, Mr. Chairman. I appreciate this privilege of being with you.

Mr. FALLON. Thank you, Mr. Harris.

Mr. Robert M. Koch will be our next witness.

On behalf of the committee, Mr. Koch, I would like to welcome you here this morning. Would you give the reporter your full name, please?

STATEMENT OF ROBERT M. KOCH, PRESIDENT, NATIONAL LIMESTONE INSTITUTE, INC.

Mr. KOCH. Mr. Chairman and members of the committee, once again I am highly appreciative of having the opportunity to present the views of the members of the National Limestone Institute, Inc., to this committee, which has been so instrumental in formulating much of our forward-looking highway legislation.

The limestone industry plays a large part in our expanded highway program since it extracts approximately 450 million tons of material annually—nearly 60 percent of which is used as roadstone and concrete aggregate. The latest Bureau of Mines' figures indicate our Nation's roadbuilders are able to purchase their limestone aggregate at an average f.o.b. plant price of \$1.30 per ton—a real bargain for such an essential roadbuilding material.

The National Limestone Institute wishes to go on record as unequivocally supporting H.R. 9725, which you introduced, Mr. Chairman, inasmuch as it would reestablish the original congressional intent of increasing authorizations on our key A-B-C highway systems \$25 million annually until a minimum of \$1 billion is reached and which was interrupted by the 1960 act. Our position here is not new nor is it without justification.

You will recall that in 1958 I testified before this committee that money authorized for the A-B-C systems, even with yearly \$25 million increments, in our opinion was not sufficient to do the construction

necessary to make these systems adequate. This was based on the 1954 Clay committee report which indicated \$45 million was needed to bring A-B-C highways up to 1954 standards.

In 1959 I again presented testimony to both this committee and the Ways and Means Committee that not only was our industry past the planning stage and geared to supply the limestone aggregate necessary for the expanded program but also that we would support any financing legislation needed to keep the congressional intent and the program on schedule and suggested possible financing methods.

In 1960, when representing our members with further testimony, I expressed their keen disappointment in the administration's proposed cutback and freeze of A-B-C funds and urged that the intent of increasing the annual A-B-C authorization be maintained.

Last year we supported the proposed financing legislation and also reiterated our previous testimony—that the original proposal to maintain the A-B-C system on a \$25 million annual increment until it reaches a minimum of \$1 billion annually is something which should not be set aside when congressional committees and administration planners are considering the total highway program.

The President's April 4 message on transportation said:

During the last session of Congress, action was taken to place our Federal-aid highway program on a sounder fiscal basis.

You have heard that the highway trust fund survived the winter, when receipts to the trust fund are always down, with a surplus of over \$200 million. We are told by the Bureau of Public Roads that the current balance, as of March 31, was \$379,529,249.24.

It has been pointed up many times that our A-B-C systems handle the majority of our Nation's highway traffic. It has been brought to your attention that many businesses in the roadbuilding family cannot get work on the Interstate System because of the size of the contracts and A-B-C work is their only work. It is well known by this committee that A-B-C contracts generate a larger dollar volume than does the Interstate System since the States match the Federal A-B-C appropriations dollar for dollar but only match interstate appropriations on a 90 percent Federal—10 percent State basis. In other words, for each Federal dollar on A-B-C highways there is \$2 of work but for each Federal dollar on the Interstate System there is only \$1.11 of work. Why then should we not adhere to the original policy of this committee, expressed in passing both the 1956 and 1958 Federal-aid Highway Acts?

I would also like to comment briefly on certain sections of H.R. 11199, introduced by Congressman Buckley at the request of the administration.

We are in sympathy with section 3 concerning the payment of administrative and relocation costs of displaced families and businesses but must oppose enactment at this time for three reasons. First, because of the assurance voiced by Congressman Clifford Davis that his Select Subcommittee on Real Property Acquisition would have a thorough, bipartisan report on this broad topic, including a formula for proper acquisition of property and a discussion of tenant relocation in the not too distant future. Second, because the earlier testimony presented by the American Association of State Highway Officials stated this is not a problem in practically all the States and such a law might well delay construction in many areas. And third,

because the Bureau of Public Roads testimony was not definite on the exact charge to the highway trust fund.

We have no comments relative to sections 4 and 5 concerning public land development roads and trails.

On the surface, we see one questionable feature in amending the Federal-aid highway law according to section 6 to permit "extensive" use of secondary funds in urban areas. As you are well aware, the secondary system is farm-to-market roads, rural mail routes, school bus routes, etc. Funds are apportioned to the States based partially on their secondary mileage. The majority of our Nation's materialmen have their quarry sites in rural areas and their livelihood depends principally upon work on the secondary Federal-aid highway system. If the law is amended and if, as a result, secondary funds are switched "extensively" into urban areas, many of our secondary roads will fall further and further behind in being modernized for their share of the traffic load. We urge this committee to take a long, hard look at section 6 to ascertain what its economic effects will be before enacting this legislation.

Again, we have no position with respect to sections 7 and 8.

Before concluding this testimony, I would like to bring two other points to the attention of this committee. I recall you were impressed earlier in these hearings by the statement of General Prentiss, executive vice president of the American Road Builders' Association, asking for legislative steps to stop the diversion of funds from the highway trust fund resulting from State and local taxation of sales and use taxes applied to highway materials and highway equipment, gross receipts of contractors, and construction contracts. As a member of ARBA and as the largest organization of aggregate suppliers, we strongly endorse this position.

I would like to point up another possible diversion of trust fund revenues which is pending in this session of Congress. H.R. 11172, introduced by Congressman Aspinall, would amend section 209(f) of the Federal-Aid Highway Act of 1956 so that 50 percent of the taxes received from special motor fuels would be transferred to a land conservation fund. We believe that this diversion of trust fund revenues should not be approved.

In closing I want to reiterate, Mr. Chairman, our membership feels very strongly that the minimum we as a nation should be doing to improve our A-B-C systems is to have the principle of your bill adopted by the Congress.

Thank you, Mr. Chairman, for the privilege of appearing today before your committee.

Mr. FALLON. Thank you very much, Mr. Koch.

Next we have Mr. Stanley B. Frosh, county councilman, Montgomery County, Md.

STATEMENT OF STANLEY B. FROSH, COUNTY COUNCILMAN, MONTGOMERY COUNTY, MD.

Mr. FROSH. Mr. Chairman and members of the committee: I appreciate the opportunity of appearing before you today and presenting the views of the National Association of County Officials. I am Stanley B. Frosh, a member of the County Council of Montgomery County, Md.

The National Association of County Officials represents elected and appointed policymaking officials in 48 States. We have affiliated with us, State associations of county officials in 44 States. As a group we have strongly supported a balanced national highway program and in previous testimony before this committee have supported increases in appropriation of forest roads and trails. We have also testified in favor of the President's proposed mass transit legislation before other committees of Congress.

SUMMARY

We appear today in support of action by the Congress which would increase Federal appropriations for Federal-aid primary, secondary, and urban extension systems (A-B-C roads) at the rate of \$25 million each year until they reach a level of \$1 billion annually as originally intended by Congress. We also favor Federal financial participation in the costs of relocating tenants and businesses displaced by road construction. Our association has strongly supported road construction in urban areas and we would favor removing the present limitations on the use of Federal-aid secondary funds for financing extensions of the secondary roads into urban areas. NACO also favors long-range comprehensive highway planning and would support the provision that Federal funds be restricted to those communities which have adequate comprehensive plans. We are hopeful that the joint planning program now underway by the State highway departments, the cities, and the counties will be so successful that by the January 1, 1965, effective date of this legislation that it will not be necessary to make the provision operative.

INCREASES ON ABC ROADS

NACO favors increasing A-B-C road appropriations at the rate of \$25 million each year as recommended in Congressman Fallon's bill (H.R. 9725) rather than each 2 years as recommended in Congressman Buckley's bill (H.R. 11199). As previously noted by the Bureau of Public Roads, the plan advanced by Congressman Fallon of annual increases would add \$75 million of additional appropriations to A-B-C roads over the entire life of the highway trust fund. Actually, this will delay completion of the 17-year interstate construction schedule less than 2 weeks.

The development of the Interstate System in placing additional strain on A-B-C funds to provide connectors to the Interstate and in general, to provide additional capacity to other roads effected by Interstate traffic.

A \$25 million A-B-C increase allows \$7.4 million for secondary roads. These roads are generally built by the counties. A State-by-State breakdown of appropriations under the increase we recommend would be as follows:

Approximate increase in apportionment of Federal-aid secondary funds resulting from \$25 million total increase in annual A-B-C authorization

<i>State</i>	<i>Increase</i>	<i>State</i>	<i>Increase</i>
Alabama.....	\$164, 000	Nevada.....	\$85, 000
Alaska.....	401, 000	New Hampshire.....	37, 000
Arizona.....	108, 000	New Jersey.....	54, 000
Arkansas.....	127, 000	New Mexico.....	117, 000
California.....	267, 000	New York.....	221, 000
Colorado.....	121, 000	North Carolina.....	235, 000
Connecticut.....	43, 000	North Dakota.....	105, 000
Delaware.....	37, 000	Ohio.....	240, 000
Florida.....	128, 000	Oklahoma.....	156, 000
Georgia.....	209, 000	Oregon.....	121, 000
Hawaii.....	37, 000	Pennsylvania.....	265, 000
Idaho.....	90, 000	Rhode Island.....	37, 000
Illinois.....	230, 000	South Carolina.....	124, 000
Indiana.....	185, 000	South Dakota.....	113, 000
Iowa.....	188, 000	Tennessee.....	172, 000
Kansas.....	175, 000	Texas.....	430, 000
Kentucky.....	155, 000	Utah.....	79, 000
Louisiana.....	121, 000	Vermont.....	37, 000
Maine.....	63, 000	Virginia.....	165, 000
Maryland.....	69, 000	Washington.....	120, 000
Massachusetts.....	62, 000	West Virginia.....	98, 000
Michigan.....	218, 000	Wisconsin.....	176, 000
Minnesota.....	199, 000	Wyoming.....	87, 000
Mississippi.....	147, 000	District of Columbia.....	37, 000
Missouri.....	203, 000	Puerto Rico.....	62, 000
Montana.....	143, 000		
Nebraska.....	144, 000	Total.....	7,407,000

It should be noted that these sums are matched by the States and would extend over the life of the program.

USE OF SECONDARY FUNDS IN URBAN AREAS

Our American county platform statement on urban highway construction reads as follows:

2-6. *Highway construction in urban areas.*—We strongly oppose proposals to economize in highway construction by eliminating road construction in urban areas. People want to move from or to the heart of urban areas. Farmers move their products to urban markets; our urbanizing population generates half of the Nation's traffic in and through suburban areas and adequate highways stimulate the development of the suburbs. The urban centers are the very heart of our counties and must be saved from traffic strangulation. Actually, as measured in cost per vehicle-mile traveled, urban roads are the least expensive in the Nation.

Removal of present restrictions on the use of secondary funds would return to the States the necessary flexibility in meeting the overall highway construction needs of the individual States.

COMPREHENSIVE TRANSPORTATION PLANNING

NACO has strongly favored a comprehensive approach to highway planning and has endorsed the following program:

2-5. *Comprehensive highway planning.*—Since the highway systems will have great effect on the future development of both urban and rural areas, great care should be exerted to insure that each section is designated to facilitate the wisest possible development of the region. To this end:

(a) Every county should have planning and zoning machinery and, regardless of size, should encourage on a continuing basis the planning and zoning processes.

(b) The county highway plan approved by the elected officials should be developed in cooperation with the planning body and should make adequate allowance for agricultural, industrial, and residential development; urban renewal; coordination of highways with water, rail, air, and truck transportation; and should take into consideration such factors as recreational open space needs.

(c) We endorse the efforts of the HHFA and the Department of Commerce to promote the development of transportation plans within a context of comprehensive community development planning through combined use of section 701, urban planning assistance funds, and 1½ percent highway planning funds.

(d) The State highway departments should honor such plans where they exist in a usable form and should encourage the development of such plans where they do not exist through the use of 1½ percent funds authorized in the Federal-aid program; the provision of State collected data; technical staff assistance; loan of technical equipment; provision of financial assistance for independent studies; State training of local personnel; and such other assistance as is necessary.

(e) In the typical area where we have a welter of smaller political subdivisions engaged in highway planning and construction, the county (or several counties acting together), which is the political unit representing all the people of the area, should take the lead in coordinating all the area highway plans and, where possible, should serve as a single point of contact between the State highway and the area.

(f) Comprehensive highway planning must be diligently carried out to provide for prompt realistic action and informed decision under controls exercised by elected representatives.

We would support those sections of H.R. 11199 which read as follows:

The Secretary (of Commerce) shall, beginning no later than July 1, 1965, before approving programs for projects in any metropolitan area, as required by section 105 thereof, make a finding that such projects are consistent with adequate comprehensive development plans for the metropolitan areas, or are based on the results of a continuing comprehensive transportation process carried on cooperatively by State and local communities and that the Federal-aid system so developed will be an integral part of a soundly based, balanced transportation system for the area involved.

Frankly we are hopeful that the mere existence of this provision will so stimulate the States and localities that the proper plans will be forthcoming to such an extent that it will not be necessary to invoke this section of the law. In the American Association of State Highway Officials, the American Municipal Association and the National Association of County Officials are conducting a series of field meetings on comprehensive transportation planning, which we believe will result in a much closer coordination of the localities and States on transportation matters and result in the local voluntary development of such plans without resort to the sanctions envisioned in this bill.

RELOCATION

NACO favors relocation payments to those displaced by highway construction. Our policy on urban renewal and family relocations reads as follows:

1-3. *County role in slum clearance.*—Increasingly, counties are being called upon to take the lead in the elimination of slums in blighted areas and relocate families displaced by the construction of new highways and of other public works. Under the Housing Act of 1954, Federal funds were authorized to assist counties and municipalities and other local units in bearing the tremendous cost of these vitally important programs. We endorse the action taken to put assistance to urban renewal on a continuing basis, adequate to meet the pressing need of our local communities. We also endorse the provisions of the Housing Act of 1961 which extends the benefits of section 112 to hospitals as well as to colleges and universities. We recommend that no cutoff date for local grant-in-aid funds be allowed.

Thank you for inviting the National Association of County Officials to present its views on this important subject.

Mr. FALLON. Our next witness listed is Mr. Miller. Mr. Miller? Mr. Miller does not seem to be here.

Congressman Bennett of Michigan was scheduled to be here this morning, but due to the press of business in his committee assignments he will not be present, and he would like to ask unanimous consent that he may file a statement in the record.

(The statement of Congressman Bennett is as follows:)

STATEMENT OF JOHN B. BENNETT, MEMBER OF CONGRESS, MICHIGAN 12TH DISTRICT, IN SUPPORT OF INCREASED FUNDS FOR FOREST ROADS AND DEVELOPMENT

Our national forests are important sources of water, timber, forage, outdoor recreation, fish and game, and minerals for the use, enrichment, and enjoyment of the American people.

The forests contain one-third of the live saw timber supply and one-third of the big game population of the country. They provide grazing for one-fifth of the sheep and one-eighth of the cattle in the Western States each year.

There are 81,000 miles of fishing streams and 3 million acres of lakes and ponds in the forests. Their watersheds provide water for 1,800 municipalities in the West and many communities and industries in the East. They also help to regulate stream flows and reduce floods on many rivers and streams in both East and West.

The importance of the forests for outdoor recreation is attested by the growth in visits for this purpose from 27 million in 1950 to 102 million in 1961.

In fiscal year 1961 the national forests returned \$99.6 million in receipts to the Federal Treasury. This is only a fraction of the value of the forests to the national economy. The cut of timber from the national forests in 1961—8.4 billion board feet which returned \$98.4 million to the Treasury—had a consumer value of about \$2 billion and provided a livelihood for about 400,000 people. In the same year, the recreationists visiting the forests put over \$750 million into trade channels for lodging, supplies, equipment, transportation, etc.

The value of the national forests to the Nation is in its infancy so to speak. In the "Developing program for the national forests" submitted in its initial form by the Eisenhower administration in 1958, and in its revised form by the present administration last year, the road estimates were based on needs for servicing in the year 2000: (a) Protection of watersheds yielding over 200 million acre-feet of water a year; (b) recreation and wildlife resources used at a level of 635 million visits annually; (c) an annual cut of 21 billion board feet of timber; and (d) grazing on 60 million acres of rangelands. At this level of use it is estimated that receipts to the Treasury from the national forests will be \$400 million.

The revision of last year updates the 1958 program and provides for a greater demand for the products and services of the national forests during the fiscal years 1963-72.

The revised program is based on 195 million recreation visits and a cut of 13 billion board feet of timber in 1972. The original program was based on 130 million visits and 11 billion board feet that year. This necessitates a stepping up of road and trail construction. This is provided for by the authorizations for forest development roads and trails in H.R. 10619. I endorse these authorizations and recommend that they be enacted. I do this because access is prerequisite to development and use of the national forests and for realizing the economic and social benefits of their resources.

The authorizations that this bill would provide are the keystone of the whole national forest program during the next decade. They are also the foundation for continued development of national forest resources in years to come and to meet the expected demands on their products and services that will exist in the year 2000.

The benefits that will accrue from the program during the 10-year period are substantial. It is expected that receipts to the Treasury will rise to about \$230 million by the end of the period. The projected timber cut of 13 billion board feet will have a consumer value of over \$4 billion and provide livelihood for 800,000 people. The level of recreation use in 1972 will put more than \$1.5 billion into trade channels, and during the decade the capital value of the lands and resources of the national forest system will have increased by \$2 billion.

Another benefit that will immediately develop from the accelerated road and trail program that the authorizations of H.R. 10619 would provide is employment in areas of labor surplus and low rural income. About one-fifth of the road and trail construction called for during the 10-year period is in such areas.

An accelerated road and trail building program is necessary because of the increased public use of national forest areas and the contemplated expansion of the timber-cutting program. In addition to providing much-needed improvements on national forest lands, it will also provide jobs for unemployed workers in districts like the northern peninsula of Michigan where national forests are a vital part of our economy.

Mr. SCHERER. Mr. Chairman, there appears in this morning's Washington Post an interesting article by Laurence Stern entitled "Commuters in Chicago Wouldn't Use El if Paid." This deals with the mass transit provisions of the legislation now before us. I ask unanimous consent that it be incorporated in the record at that point where that particular provision of the Buckley bill was being discussed.

Mr. FALLON. Is there any objection?

So ordered.

(The article referred to is as follows:)

[From the Washington Post, May 2, 1962]

COMMUTERS IN CHICAGO WOULDN'T USE EL IF PAID

(By Laurence Stern, Staff Reporter)

ATLANTIC CITY, May 1—Even if they threw away the fare box, transit systems would have trouble enticing commuters away from their cars, a pilot study of motorists in Chicago suggests.

In fact, reported Leon N. Moses, director of research for Northwestern University's transportation center, many motorists would continue to shun public transit if they were paid to ride it.

Moses, an economist who directed the survey of 5,000 Chicago commuters, announced these findings at the national conference of the American Society of Planning Officials here:

Only 13 percent of the auto commuters in the sample group would be lured to public transit with free elevated subway fares and 18 percent would abandon their cars for free buses and trolleys. Ithaca, N.Y., is now experimenting with such a program.

It would take a "negative fare" of 35 cents to divert half of the home-to-work motorists from their automobiles to buses and streetcars.

To shift a similar percentage to the city's subway, riders would have to be paid 45 cents per trip.

Half of the sample group indicated they would use suburban commuter rail lines if they were paid only 15 cents per trip.

Moses said his survey was prompted by the growing clamor for subsidization of mass transportation to cut down on the disruptive impact of urban freeway construction within central cities.

As an alternative means of stimulating transit use he considered the effects of increasing auto commuting costs.

If the cost of driving to work were increased by \$1.30 per day, for example, there would be a 50-percent shift to the el subway system.

On the other hand, warned Moses, a possible result of increasing driving costs might be to shift jobs and industry out of the central city into the suburban ring.

(Findings in Moses' study run contrary, however, to results of a recent survey of automobile commuters conducted by the General Services Administration in the Washington area. More than one-fourth of the drivers said they would be willing to leave their cars at home if cheaper and faster bus service were available.)

While there is a growing demand for improved mass transportation services, Moses cautioned that the cost of subsidizing any large scale conversion to transit "could be greater than all the subsidy programs we have ever engaged in—agricultural, maritime, and defense included."

President Kennedy has asked Congress to enact a \$500 million, 3-year program of grants designed to stimulate better urban transit. This step was pro-

posed by the administration to balance expenditures for highways, now running at \$41 billion at the Federal interstate level.

Recently the Institute of Public Administration in New York, which helped lay the groundwork for the administration program, estimated that the capital needs of the Nation's transit systems will be about \$9 billion in the next decade. In another talk, Max S. Wehrly, executive director of the Urban Land Institute, took a slap at plans for redevelopment of Washington's southwest waterfront.

A former chairman of the National Capital Regional Planning Council, Wehrly said, "Washington has lost its little fishermen's wharf on the Washington Channel in the interest of monolithic renewal—which I consider a tragedy."

He also attacked what he called "stereotyped" land use and zoning policies on grounds that they create "mechanical and uniform" communities.

Mr. FALLON. If there are no more witnesses before the committee this morning, the committee will adjourn for today subject to the call of the Chair.

(Whereupon, at 11:30 a.m., the subcommittee adjourned subject to the call of the Chair.)

(The following was furnished for insertion.)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 16, 1962.

Hon. CHARLES A. BUCKLEY,
Chairman, Committee of Public Works,
House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed herewith is a copy of a letter dated April 12 addressed to me by one of my constituents, Mr. Zane M. Jones of New Castle, Va., concerning a proposed amendment to H.R. 9725.

My constituent has asked that his letter be made a part of the official record of the hearings conducted on this legislation, and I will consider it a personal courtesy if you will accommodate his request. Mr. Jones is an extremely civic-minded citizen of Craig County which is one of the units of the Sixth Congressional District I am privileged to represent. As Mr. Jones has so well pointed out, 52 percent of the area of the committee is national forest land and, for that reason, it is not included on the county's tax rolls. Accordingly, you will understand why this matter is so important to Craig County.

With kindest regards, I am,

Sincerely,

RICHARD H. POFF.

NEW CASTLE, VA., April 12, 1962.

Congressman RICHARD H. POFF,
House of Representatives, Washington, D.C.

DEAR MR. POFF: The National Association of County Officials has proposed that certain road appropriations be increased by this session of Congress.

They propose that the development program for the national forests, submitted by the President to Congress on September 21, 1961, be implemented by increase of \$27.5 million for Forest Service road and trail construction. I certainly endorse this proposal.

There is 112,000 acres of national forest land in Craig County, 52 percent of the county. An increased road appropriation could mean much to the economy of the county. More Forest Service timber could be offered for sale after being made accessible. This could increase our share of the 25-percent fund which the Forest Service makes available annually for roads and schools. This 25-percent fund is based on total yearly receipts of the individual national forests.

Increased road construction here could also result in providing better access for hunters, fishermen, and the general public seeking outdoor recreation. Craig County depends a great deal on outdoor recreation provided by Jefferson National Forest to supplement income.

I understand that hearings will be held by the Committee on Public Works on April 17, 1962, on H.R. 9725, introduced by Representative Fallon. Would you please see that this letter is made a part of the official record. Your endorsement of the proposed increases to the Fallon bill, as proposed above, could mean a great deal to our county.

Very truly yours,

ZANE M. JONES.

THE STATE OF WISCONSIN,
HIGHWAY COMMISSION,
Madison, April 30, 1962.

Subject: H.R. 11199.

Hon. ROBERT W. KASTENMEIER,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN KASTENMEIER: The Wisconsin Highway Commission has noted the introduction of H.R. 11199, which would establish A-B-C Federal-aid highway authorizations for the fiscal years 1964 and 1965. We hereby respectfully present the view of all members of the commission on behalf of the State of Wisconsin concerning the bill.

SECTION 2(1)

We favor the A-B-C authorizations for the 1964 and 1965 fiscal years as proposed in the Fallon bill, H.R. 9725, which is in keeping with the State policy of the Congress at the time of the 1956 act, rather than those set out in H.R. 11199.

As for the authorizations proposed in section 2, parts (2), (3), (4), (5), (6), (7), and (8), these are satisfactory provided that they are not financed from the trust fund.

As for Section 3—Assistance to Displaced Families and Businesses, we advise against the passage of such a provision. This matter is not a serious problem at all, and displaced people have not been left homeless or seriously inconvenienced because of the highway program in Wisconsin.

We point out that the proposal for making certain payments would also involve involve State funds, inasmuch as the States still furnish approximately half of the money that goes into the Federal-aid highway construction program.

The bill leaves many questions unanswered, such as who would determine what is adequate, safe, sanitary, convenient housing within the means of the individual. Also, as we understand its provisions, the State would be required to make a showing that this housing was available before going ahead with acquiring right-of-way on any interstate, primary, secondary, or urban project.

We believe that the provisions would introduce undue controversy and delay into the program and could effectively stop the program in certain areas.

We believe that an adequate leadtime in planning and acquiring right-of-way is the best answer and allows people and businesses time to arrange for orderly relocation.

Wisconsin law for acquiring right-of-way provides some help in defraying moving costs imposed on people. Under the bill there is actually no limitation placed on payment for moving business.

As to section 6, we agree with this proposal.

As to section 7, concerning the urban transportation planning action program, we are cooperating with the American Municipal Association, the National Association of County Officials, the Bureau of Public Roads, and the Housing and Home Finance Agency to implement the stated objectives.

Before such planning is made mandatory, we urge that such presently launched program be given reasonable opportunity to determine if the cooperative approach, with all of the agencies and levels of the government participating, will produce satisfactory results.

The wording in the bill leaves the decision as to whether a highway project properly fits into a comprehensive and balanced transportation plan to the Secretary of Commerce. In many communities there is a considerable difference of opinion as to what constitutes a balanced transportation system and such differences can only lead to undue and unwarranted delay in obviously needed work.

In conclusion, reference is made to section 8, which would increase the highway planning and research funds on the A-B-C authorizations from 1½ to 2 percent. We are opposed to the increase at this time because of the great backlog of needs on the A-B-C systems and since we have a program underway to channel presently allotted planning and research funds into extremely productive uses.

The increase in percentage withheld from A-B-C authorizations would have to be matched, except in very special cases, and must be used for research exclusively. It will divert \$5 million annually from needed A-B-C roads, which means many miles of highway. Currently the 1½ percent funds, which were stepped up drastically in 1956 by increasing the Federal aid program, amount to \$50 million which is expended for research and planning. In Wisconsin the total of 1½ percent funds, plus matching, aggregates approximately \$1 million per year.

In addition varying but significant amounts of State funds are used annually for research without Federal aid. We believe this is adequate.

Very truly yours,

HARVEY GRASSE, *Chairman.*

WEST VIRGINIA COUNTY AND CIRCUIT CLERKS ASSOCIATION,

April 11, 1962.

Re Fallon bill, H.R. 9725.

Hon. CHARLES A. BUCKLEY,
Chairman, Public Works Committee,
House of Representatives,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN BUCKLEY: It has been called to my attention that a committee hearing is scheduled for April 16, 1962, reference the Fallon bill, designated as House bill 9725 which includes \$50 million appropriation for national forest developments consisting of roads and trails.

The West Virginia Association of County & Circuit Clerks have unanimously adopted a resolution supporting the above-mentioned bill and request that this letter be identified and be made part of the record in testimony supporting the cause for this important legislation. The National Association of County Officials, of which our State association is an integral part, has endorsed a vigorous development program for our national forest, and our State clerks' association feels that it is incumbent on us to support the national organization in order to accelerate the construction of roads and trails in our national forest which is so badly needed.

Much emphasis has been placed on tourism in West Virginia, and this has been stressed in all phases of our Government, including our Representatives in Congress and members of our State and county government. We feel that promotion of tourism in West Virginia is a basic requirement to stabilize our economy which has suffered in recent years because of automation in industry, and the migration of our people to large industrial centers outside our State. If tourism is to expand in our State and take its proper place in our economy, one of the first requirements is to support a roadbuilding program that will be accelerated over a period of years consistent with our desires and needs. Regardless of the Federal and State highways constructed in our State, they will be of no avail to tourists, unless the roads and trails in our national forests are constructed to permit tourists to participate in the sports and recreation offered by such.

The West Virginia Clerks Association will appreciate your consideration of our above request and beg of you to support the legislation contained in House bill No. 9725.

Respectfully yours,

C. HAROLD HANKS, *President.*

SPORT FISHING INSTITUTE,
Washington, D.C., April 18, 1962.

Re H.R. 11199 and H.R. 9725 concerning forest roads and trails.

Hon. CHARLES A. BUCKLEY,
Chairman, Committee on Public Works,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN BUCKLEY: The Sport Fishing Institute, Washington, D.C., a nonprofit scientific and educational fish conservation organization dedicated to the improvement of sport fishing, and supported by fishermen and industry, endorses H.R. 11199, introduced by you and H.R. 9725, introduced by Congressman George H. Fallon (of your committee). These bills, with proposed amendments, would provide enabling legislation to begin construction of roads and trails into the national forests by fiscal year 1963.

The Federal Highway Act of 1960 (Public Law 86-657) annually allows road appropriations to the U.S. Forest Service. However, these funds (\$37½ million for fiscal year 1963), are a mere drop in the bucket when compared to the \$1.2 billion that are considered to be needed for the proposed 10-year roadbuilding program in the national forests, to be consummated by 1972.

The Sport Fishing Institute recommends that these bills be strengthened by amending them as follows:

Page 2, section 2, paragraph (3), lines 17 through 20 (H.R. 11199) and lines 16 through 18 (H.R. 9725), to read as follows with recommended changes in italic:

"For forest development roads and trails, \$67,500,000 for the fiscal year ending June 30, 1963, \$90,000,000 for the fiscal year ending June 30, 1964, and \$120,000,000 for the fiscal year ending June 30, 1965."

Since these proposed amendments include a request (\$67,500,000) for fiscal year 1963, other appropriate amendments may be necessary. We feel that because of the immediacy of the need for these funds, 1963 should be included in these increased authorizations, thereby providing a firm base for commencement of the 10-year roadbuilding program by the U.S. Forest Service.

These bills would provide for a system of roads and trails necessary for the use, protection, and administration of U.S. Forest Service lands. Passage of this proposed legislation now would make money available July 1, 1962. The pressing need is now. We believe that \$67½ million should be made available for fiscal year 1963, as would be provided in these bills, with proposed amendments, to develop "multiple-use management roads." Multiple-use and sustained yields would be the goal for mineral, outdoor recreation, range, timber, watershed, fish, and wildlife purposes.

Access into national forests, as well as the public domain under the Bureau of Land Management, is one area of potential expansion of our outdoor recreating Americans. With recreational demands upon our natural resources being at the levels reported to the President by the Outdoor Recreation Resources Review Commission, it would seem imperative to utilize the full potential of presently available resources. This, of course, must be done in the light of what is the best use for the greatest number of people, using the wisest management concepts now available.

Such forest lands are spread throughout the country, and could be made available to millions of people. For example, much new fishing water could be made available to our Nation's 45 million anglers. This would have the sound objective of dispersing public use, rather than concentrating it. The latter situation is already a real problem, offering little solution in special-purpose reservations such as wildlife refuges and national parks and monuments. The roads and trails development funds as would be authorized in these bills (with proposed amendments), would go far toward relieving this problem.

There are a great many untouched resources within the bounds of national forests. It's chiefly a matter of securing suitable access to them, the principle of conservation through wise use being one of the basic fundamentals. Therefore, Sport Fishing Institute urges the passage of this proposed legislation, including our proposed amendments, and respectfully requests that this letter be made a part of the official record of hearings. Thank you.

Sincerely,

PHILIP A. DOUGLAS,
Executive Secretary.

STATEMENT OF AMERICAN AUTOMOBILE ASSOCIATION ON FEDERAL AID HIGHWAY ACT OF 1962

The public record of the American Automobile Association in support of the principles of Federal aid to States for highway construction is well established and dates back to the first Federal-aid highway bill passed in 1916.

Perhaps the best known part of this record is our support of the Federal Aid Highway Act of 1956 which provided for a greatly expanded Federal role in highway building, and also provided for an increase in the Federal taxes on highway users and the dedication of certain Federal user taxes to the highway trust fund for the purpose of accelerating construction on both the National System of Inter-State and Defense Highways and the A-B-C systems.

It is with this background of our longtime support of Federal-aid highway legislation that we place before you our views on H.R. 9725, H.R. 9848, and H.R. 11199.

We note that of these three bills the first two simply provide for authorizations for continuing Federal aid on the A-B-C systems for the fiscal years 1964-65 with, of course, the customary provision for forest highways, forest development roads and trails, park roads and trails, parkways, Indian reservation roads and bridges, and public lands highways which, of course, are a charge against the general funds of Government.

The third piece of legislation, H.R. 11199, is considerably enlarged in scope, providing not only for the regular authorizations for the 2 fiscal years in question, plus those other authorizations included in the other bills, but also is ex-

ended to deal with the relocation of families and businesses as a result of the taking of land for highway construction; a substantially enlarged activity in the area of urban transportation research; the increase in the 1½-percent Federal planning funds for A-B-C systems to 2 percent; and finally the extension of Federal-aid secondary routes into urban areas.

ABC AUTHORIZATIONS

With regard to the regular authorizations for the A-B-C systems for the fiscal years 1964 and 1965 provided for in all three bills, we note the difference in the annual provision as contained in H.R. 9725 and the other two bills. AAA policy calls for "concurrently increasing the Federal-aid primary, secondary, and urban highway programs to accommodate expanding highway traffic requirements, within the scope of the Federal Government's responsibility." Either of the concepts set forth in the two different versions of the three bills in question appears to accomplish this purpose.

OTHER HIGHWAY AUTHORIZATIONS

We reiterate our view that authorizations for highways on lands under Federal ownership, control, or jurisdiction are and should continue to be a charge against the general funds of Government and not against the highway trust fund.

SECTION 3 OF H.R. 11199: ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

Section 3 provides for certain payments to persons and businesses displaced by acquisition of lands for highway purposes and in so doing seeks to redefine the term "highway construction" as set forth in section 101, title 23. We have noted with interest the fact that the Select Subcommittee on Real Property Acquisitions of the House Public Works Committee is currently considering this problem as it relates to all forms of Federal and federally aided construction and that said subcommittee has not as yet had an opportunity to complete its survey and report.

We therefore suggest that the roads subcommittee permit the select subcommittee to complete its study before considering any such provision.

SECTION 6 OF H.R. 11199: FEDERAL-AID SECONDARY HIGHWAY SYSTEM: URBAN AREAS

This section provides for the further extension of certain parts of the Federal aid secondary system into and through urban areas so as to provide for an integrated and connected system.

We believe this is a logical and proper recommendation and is in agreement with basic policy of the American Automobile Association, which stresses the importance of properly integrated Federal aid highway systems.

SECTION 7 OF H.R. 11199: TRANSPORTATION PLANNING IN METROPOLITAN AREAS

This section provides for cooperation as between the Secretary of Commerce and the States in development of long-range highway plans and programs, properly coordinated with plans for improvements in other forms of transportation and formulated with due consideration to their probable effect on the future development of metropolitan areas. The objective appears to be carrying on of needed forms of urban transportation research and planning and to insure effective liaison and coordination among local governmental agencies and between local governmental agencies and State and Federal transportation departments, although this interpretation is not clearly or specifically stated.

This association has long been on record favoring effective urban transportation planning.

It is our judgment, however, that the language in section 7 is vague as to its practical application, is subject to greatly differing interpretations and, thus, would have adverse effects on the orderly development of highways in urban areas.

For example, the imposition of a date (July 1, 1965), after which the Secretary shall make certain findings, brings into sharp focus the inability of many official planning agencies to come to agreement with suburban communities and the frequent long delays in coming to an agreement as to plans for overall area development.

This problem has also confronted State highway administrators for years in their attempts to secure sound highway transportation plans in urban areas, properly integrated with overall city planning involving other aspects of metropolitan area development.

This requirement may place the Secretary of Commerce in the position of being unable to carry out on schedule the interstate highway program carefully developed by Congress and adequately financed by highway user taxes, a program for which the Secretary has the final responsibility to the Congress.

One of the fundamental concepts of the National System of Interstate and Defense Highways is completion of that system in all parts of the country by 1972, thus providing an indispensable transportation network to serve the military and civilian defense needs of the Nation as well as to promote the general welfare and the overall economy. This was clearly the intent of Congress when in the Federal-aid Highway Act of 1956 it declared:

"It is the intent of Congress that the Interstate System be completed as nearly as practicable over a 13-year period and *that the entire system* in all the States be brought to *simultaneous completion*." [Italic added.] Section 108, Public Law 627.

How would enactment of section 7 of H.R. 11199 affect this carefully conceived purpose? Are not the conditions imposed upon the Secretary in said section 7 a substantial roadblock in the achievement of this important goal?

The requirement that there must be a finding of "adequate comprehensive development plans or a continuing comprehensive transportation process" and that "the Federal-aid system so developed will be an integral part of a soundly based, balanced transportation system for the area involved" could have different meanings in different places to different agencies and people. These development plans, or this comprehensive transportation planning process, must, according to the proposed legislation, be "carried on cooperatively by the States and local communities * * *." What agency of a State shall have this responsibility? Who in the local community is to share this responsibility? Which of the State or local agency certifications of the existence of a comprehensive plan will the Secretary be authorized to accept as a basis upon which to make his findings, and what shall be the elements of such a plan? Must all of the municipalities in a metropolitan area be in agreement on a comprehensive plan, or would agreement of a certain percentage of the affected municipalities constitute a sufficient warrant for the Secretary to make a finding? If so, what percentage of the communities must be in agreement? Could failure of one community to accept the comprehensive plan result in serious delay in the expeditious completion of Federal-aid highway programs for the metropolitan area complex?

These are some of the questions which need to be answered.

While coordination of urban transportation planning is desirable, the American Automobile Association feels that there should be some assurance, specifically stated, that completion of Federal-aid highway projects in urban areas will not be jeopardized as a result of local controversies as to the acceptance of all elements of a proposed comprehensive plan by all communities affected.

The AAA is convinced that this section is in need of further careful study, both as to specific purpose and content, before inclusion in any Federal-aid highway legislation.

STATEMENT OF JOSEPH S. MILLER ON BEHALF OF WESTERN FOREST INDUSTRIES ASSOCIATION, PORTLAND, OREG.

Mr. Chairman and members of the subcommittee, I am Joseph S. Miller, of 1028 Connecticut Avenue, Washington, D.C. I appear on behalf of Western Forest Industries Association, 2319 Lloyd Center, Portland, Oreg. The association's membership consists of about 100 manufacturers of lumber and plywood in the Pacific Northwest. The common bond among the membership is their individual dependence for their raw material supply upon the public forest lands administered by the Forest Service and the Department of the Interior.

The association urges the enactment of H.R. 11199, with the authorization for forest roads and trails changed to \$67.5 million, \$90 million, and \$120 million for fiscal years 1963, 1964, and 1965, respectively.

Heretofore the great bulk of road mileage in the national forests has been constructed to Forest Service requirements by timber operators as an aspect of their timber sale contracts. In effect the Government has been using the working capital of timber operators. To many sawmill owners this has imposed a heavy burden. Now with the sudden penetration of our American lumber market by

Canadian lumber with consequent heavy unemployment in our western timber areas, this has become a burden that many operators can no longer bear.

Roads constructed by timber operators proceed slowly into the far reaches of the forests. Roads are essential to fire suppression. Hence our firefighting capabilities suffer severely for lack of needed access roads. In addition in the far reaches of the forests are hundreds of millions of feet of timber that succumb annually to insects and disease. With roads available this mortality can be saved, the asset converted into revenue for the Treasury before it has rotted beyond economic recovery, and employment can be promoted.

Under existing law, as we understand it, the Forest Service and Bureau of Land Management may require timber operators to build roads only to the standard that would be followed by a prudent timber operator in the construction of a road to be used to harvest only the single patch of timber included in one sale. Roads of this type, of course, have neither the size, safety, nor permanence to accommodate heavily increasing multiple-use loads. Availability of additional funds to the Forest Service and Bureau of Land Management would enable these agencies to participate with timber operators in cooperative arrangements for construction of roads of the type that are needed if multiple use is to be translated from concept to practice.

In addition, through the pine belt of 11 Western States, the low value, so-called associated species of timber, such as lodgepole pine, when appraised by the Forest Service, often reflects either a negative value or too low a profit to justify the use of this timber. This means that Forest Service appraisals of the associated species, even when appraised at a wholly nominal minimum, reflect the fact that the return from the sale of wood products made from these off-species will not cover the costs of logging, road construction, manufacturing and a profit margin defined as fair in the Forest Service appraisal system. Nevertheless, in order to keep operating and in order to make use of this resource, operators must buy this timber and harvest it even when it is clear that substantial losses may ensue. Indeed, in some areas operations and communities are built entirely around the harvesting of these associated species. If the mill owner is finally forced to close his operation, the local community withers. One of the substantial elements of cost in harvesting such associated species is the road construction that must be performed by the operator with his own capital. With the funds that we propose for authorization the Forest Service could either build roads in advance of timber sales to the standards most suitable for full multiple use or, in the alternative, could enter into cooperative road construction agreements with the successful timber bidders. This would enable operators to continue the harvest of these off-species so that the lands can be converted to growing new, desirable timber crops. In the meantime, employment and communities would not suffer.

DEPARTMENT OF COMMERCE,
BUREAU OF PUBLIC ROADS,
Washington, D.C., April 20, 1962.

HON. GEORGE H. FALLON,
House of Representatives, Washington, D.C.

DEAR MR. FALLON: Supplementing my testimony of April 17, 1962, on H.R. 9725, H.R. 9848, and H.R. 11199, I am submitting for the record the enclosed tables showing estimated receipts, expenditures and trust fund balances for the fiscal years 1957-73 under existing legislation and under legislation which would take aviation fuel tax out of the highway trust fund. These tables are copies of statements appearing on pages 8 and 9 of the report by the Secretary of the Treasury entitled "Financial Condition and Fiscal Operations of the Highway Trust Fund, Fiscal Year 1961" (H.Doc. No. 349, 87th Cong., 2d sess.).

Inclusion of these tables in the record of the hearings will be appreciated.

Sincerely yours,

REX M. WHITTON,
Federal Highway Administrator.

STATEMENT NO. 2.—*Status of highway trust fund, actual fiscal years 1957-61, and estimates, 1962-73, under existing legislation*

[In millions of dollars]

Fiscal year	Receipts						Expenditures				Balance in the fund		
	Gross excise taxes	Refunds of taxes	Net excise taxes	Interest on investments	General fund advances	Repayment of general fund advances	Total	Highway program				Interest on advances	Total
								Inter-state	Primary, second-ary, and urban ¹	Other ²			
Actual:													
1957	1,479	-----	1,479	3	-----	-----	1,482	208	743	15	966	966	516
1958	2,116	90	2,026	18	-----	-----	2,044	675	809	27	1,511	1,511	1,019
1959	2,171	97	2,074	13	-----	-----	2,087	1,501	839	273	2,613	2,613	523
1960	2,642	103	2,539	2	359	359	2,541	1,861	879	200	2,940	2,945	119
1961	2,923	126	2,798	2	60	60	2,800	1,719	877	23	2,619	2,620	299
Estimate:													
1962	3,132	135	2,997	4	-----	-----	3,001	2,072	931	23	3,026	3,026	274
1963	3,391	133	3,258	4	-----	-----	3,262	2,329	915	8	3,252	3,252	284
1964	3,486	133	3,353	4	-----	-----	3,357	2,451	922	6	3,379	3,379	282
1965	3,583	133	3,450	4	-----	-----	3,454	2,552	917	6	3,475	3,475	241
1966	3,680	134	3,546	4	-----	-----	3,550	2,645	926	6	3,577	3,577	214
1967	3,782	135	3,647	4	-----	-----	3,651	2,739	943	6	3,688	3,688	177
1968	3,888	138	3,750	4	-----	-----	3,754	2,838	953	5	3,796	3,796	135
1969	3,996	139	3,857	4	-----	-----	3,861	2,866	967	5	3,838	3,838	158
1970	4,106	141	3,965	4	-----	-----	3,969	2,901	972	5	3,878	3,878	249
1971	4,218	144	4,074	4	-----	-----	4,078	2,992	974	5	3,971	3,971	356
1972	4,333	146	4,187	4	-----	-----	4,191	3,104	961	5	4,070	4,070	477
1973	4,448	185	4,263	-----	-----	-----	4,263	1,547	317	-----	1,864	1,864	176
Total	54,675	2,112	52,563	82	419	419	52,645	37,000	14,845	618	52,463	52,469	-----

¹ Assuming authorizations will be extended for the fiscal years 1964-72 with biennial increases of \$25,000,000 (from \$925,000,000 for each of fiscal years 1962 and 1963) to a total of \$1,000,000,000 maximum annually.

² Includes emergency relief funds, bridge and dam design and construction funds,

advances to States, and special \$400,000,000 of primary, secondary, and urban funds authorized by sec. 2(a) of Federal-Aid Highway Act of 1958.

³ Includes receipts on tax liabilities accrued prior to Oct. 1, 1972, but collected thereafter.

STATEMENT No. 3.—*Status of highway trust fund, actual fiscal years 1957-61, and estimates 1962-73, under existing and proposed legislation*
 [In millions of dollars]

Fiscal year	Receipts					Expenditures					Balance in the fund				
	Gross excise taxes	Deductions		Net excise taxes	Interest on investments	General fund advances	Repayment of general fund advances	Total	Highway program			Total	Interest on advances		
		Refunds of taxes	Tax on aviation fuel						Inter-state	Prim-ary, second-ary, and urban ¹				Other ²	Total
Actual:															
1957	1,479			1,479	3			1,482	208	743	15	966	966	966	516
1958	2,116	90		2,026	18			2,044	675	809	27	1,511	1,511	1,511	1,049
1959	2,171	97		2,074	13			2,087	1,501	839	273	2,613	2,613	2,613	623
1960	2,642	103		2,539	2	359	359	2,541	1,861	879	200	2,940	2,945	2,945	119
1961	2,923	126		2,798	2	60	60	2,800	1,719	877	23	2,619	2,620	2,620	299
Estimate:															
1962	3,132	135		2,997	4			3,001	2,072	931	23	3,026	3,026	3,026	274
1963	3,391	133		3,258	4			3,250	2,329	915	8	3,252	3,252	3,252	272
1964	3,486	121	34	3,331	4			3,335	2,451	922	6	3,379	3,379	3,379	228
1965	3,583	117	30	3,436	4			3,440	2,552	917	6	3,475	3,475	3,475	193
1966	3,680	120	27	3,533	4			3,537	2,645	926	6	3,577	3,577	3,577	153
1967	3,782	122	25	3,635	4			3,639	2,739	943	6	3,688	3,688	3,688	104
1968	3,888	125	25	3,738	4			3,742	2,838	953	5	3,796	3,796	3,796	50
1969	3,996	127	24	3,845	4			3,849	2,896	967	5	3,838	3,838	3,838	61
1970	4,106	129	24	3,953	4			3,957	2,901	972	5	3,878	3,878	3,878	140
1971	4,218	132	24	4,062	4			4,066	2,992	974	5	3,971	3,971	3,971	235
1972	4,333	134	24	4,175	4			4,179	3,104	961	5	4,070	4,070	4,070	344
1973	3 1,748	172	10	1,566				1,566	1,547	317		1,864	1,864	1,864	46
Total	54,675	1,983	259	52,433	82	419	419	52,515	37,000	14,845	618	52,463	52,469	52,469	

¹ Assuming authorizations will be extended for the fiscal years 1964-72 with biennial increases of \$25,000,000 (from \$925,000,000 for each of fiscal years 1962 and 1963) to a \$1,000,000,000 maximum annually.

advances to States, and special \$400,000,000 of primary, secondary, and urban funds authorized by sec. 2(a) of Federal-Aid Highway Act of 1958.

² Includes emergency relief funds, bridge and dam design and construction funds, ³ Includes receipts on tax liabilities accrued prior to Oct. 1, 1972, but collected thereafter.

DEPARTMENT OF COMMERCE,
BUREAU OF PUBLIC ROADS,
Washington, D.C., May 7, 1962.

HON. GEORGE H. FALLON,
Chairman, Subcommittee on Roads, Committee on Public Works,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Following my testimony on May 1, 1962, in regard to our estimate of the cost of relocating tenants and businesses on the Interstate and ABC systems, and utility costs of the program, I checked the detail estimates and I wish to submit these for the record rather than the general approximations that I used:

1. *Relocation cost for interstate program.*—On the basis of estimates developed by Public Roads and included in the urban transportation joint report to the President by the Housing and Home Finance Administrator and the Secretary of Commerce, the interstate program is estimated to displace about 15,000 families and 1,500 businesses annually during each of the next few years. Under limitations of \$200 per family and \$3,000 per business, the cost of the relocation program would be about \$45 million for the interstate program, including both State and Federal funds.

2. *Additional relocation costs for ABC program.*—Relocation costs for the ABC program are estimated at about \$5 million. This is a very general estimate, based on about 10 percent of interstate program costs. The total estimate for the Interstate and ABC programs combined, including both State and Federal funds, is \$50 million. This information is based on prior estimates received from field offices, modified by experience of the Urban Renewal Administration.

3. *Cost of utility relocations.*—Twenty-six States have enacted legislation providing for reimbursement to utilities for the cost of relocating facilities located on public right-of-way. Cost data are not available covering separately this portion of the total cost of relocating utility facilities. The costs of all utility relocation work authorized on Federal-aid highway projects during the calendar year 1961 were as follows, covering facilities located on both publicly owned and privately owned rights-of-way:

Program	Total cost	Federal funds
Interstate.....	\$62,118,000	\$49,401,000
ABC.....	17,336,000	8,734,000
Total.....	79,454,000	58,135,000

Utility relocation work was authorized during 1961 in all States except Delaware.

Please advise if I can be of further assistance to the committee.

Sincerely yours,

REX M. WHITTON,
Federal Highway Administrator.

STATEMENT OF CONGRESSMAN AT LARGE, WALTER S. BARING, NEVADA, BEFORE
PUBLIC WORKS SUBCOMMITTEE ON ROADS, RELATIVE TO FOREST DEVELOPMENT
ROADS IN NATIONAL FORESTS, H.R. 11199, WEDNESDAY, APRIL 18, 1962

On September 21, 1961, the President transmitted to the U.S. Congress a development program for the national forests, and suggested that this program be implemented by increasing the authorization for forest development roads and trails in the 1963 fiscal budget.

The legislation before the Public Works Subcommittee on Roads today, H.R. 11199 appears only to increase this authorization \$10 million over the 1960 Federal Highway Act which provided \$40 million authorization for these forest development roads. However, in Representative Ullman's bill, H.R. 10619, the amount for the fiscal year 1963 for this item is \$67.5 million which is more in line with the request of the President of September 21, 1961.

If these roads are to be properly developed, and if this program is not to lag behind, it is evident that the initial year must start with large enough an authorization to commence the program we have set out to accomplish.

The increased construction of forest access roads, by Federal appropriation, will result in a more permanent type of forest road system and will increase access for forest fire protection, which is of ultimate importance in the Nevada national forests, it will increase recreation and other multiple uses and increase revenues for State and local governments, since, when the Government builds these roads there is a greater opportunity for small mills and loggers to bid, and this in turn tends to increase the amount the Government would otherwise realize from sale of timber, when the Government builds the roads. Furthermore, payments are made when the timber is actually cut; this makes it possible for small operators to participate, and thus increase competition for national forest timber.

Under the present program it is apparent that we are not getting the sort of roads which were intended under the Multiple Use-Sustained Yield Act of 1960 which in turn directs that the national forests shall be administered for outdoor recreation, watershed, wildlife and fishing purposes.

A substandard road has wasted millions of dollars in expensive maintenance costs and in reconstruction and replacement costs for the Government. I, therefore, feel that the \$67.5 million as provided in H.R. 10619 for 1963 is a more true figure for accomplishing the national forests development program.

I am including in my statement a telegram which I have just received from the Elko Chamber of Commerce which states the urgent need for development of the forest roads:

ELKO, NEV., April 11, 1962.

Hon. WALTER S. BARING,
House of Representatives:

We feel there is urgent need for appropriations provided for in H.R. 10619 on which hearings scheduled by public works subcommittee headed by George Fallon, Thursday. Measure provides badly needed funds for construction forest development roads providing access to forest lands which must be provided if these areas are to meet recreational needs of West. Development of proposed Ruby Mountain Scenic Area will be impossible unless adequate road development funds provided.

ELKO CHAMBER OF COMMERCE.

Nevada is in particular need of development forest roads for much of the national forest area has not yet been developed, and the population of Nevada has increased tremendously over the last 10 years, besides the steady flow of visitors from other States create a need for the more accessible recreation areas, not to forget the abundant hunting and fishing in the Nevada national forests, and many of these fine fishing areas are almost inaccessible until such time as proper development forest roads and trails can be established.

If we are going to do a good job on the proposed recreation program at all, let us begin to do it right as suggested by the President from the very start so that we can share our great outdoors with all of the people of this country.

STATEMENT OF INDUSTRIAL FORESTRY ASSOCIATION, PORTLAND, OREG., ON
H.R. 9848 AND H.R.9725

The Industrial Forestry Association has continuously stressed the need for timber access roads in the national forests since 1947. It supported increased authorizations for forest development roads and trails before the Subcommittees on Roads of the House and Senate Committees on Public Works in 1952, 1954, 1957, 1958, and 1960. It has done so because without an adequate timber access road system the national forests can never contribute their full allowable timber harvest to the Nation's economy.

The Industrial Forestry Association consists of 76 members in the business of growing and harvesting timber and manufacturing lumber, pulp and paper, plywood, shingles, hard and soft boards, and other forest products. Its members operate more than 335 wood-using plants which employ 70,000 people in Washington and Oregon west of the Cascades. Their annual payroll exceeds \$350 million.

In the last 5 years association members have purchased more than a quarter of the national forest timber sold in our region, so we have extensive firsthand knowledge of the need for timber access roads.

To emphasize the necessity for an adequate system of timber access roads in the national forests of Oregon and Washington only a few data are necessary.

Washington and Oregon have 38 percent of the Nation's timber supply. They produce about a quarter of all forest products used annually by the American people. Annual value of the forest crop is \$2¼ billion and furnishes employment to 250,000 people with an annual payroll of close to \$1¼ billion. This is the Northwest's largest unsubsidized payroll and constitutes 50 percent of its basic economy.

Because timber is a renewable resource, the Northwest can continue to enjoy its important contribution to its economy, providing the principal forest ownership, the national forests, does its part.

The national forests in Washington have 37.4 percent of the State's total timber supply (table 1); in Oregon 49.6 percent (table 2). The national forests have been the last major forest ownership to be placed under constructive management largely due to their relative inaccessibility until a decade ago.

The record of the national forests' contribution to our annual timber harvest as timber access roads have been built, has been improving steadily as the data for the last decade show.

In Washington the national forests by 1960 were contributing a quarter of the total timber harvest compared with only 16.5 percent a decade earlier (table 3). It should be noted that in 1959 they contributed 29.5 percent of the total timber harvest.

In Oregon the national forests by 1960 were contributing 27.6 percent of the total timber harvest compared with 14.0 percent a decade earlier (table 4). It is to be noted that in 1959 the national forests contributed 32.8 percent of the total timber harvest.

Table 5 shows that the full allowable cut was nearly attained on the national forests of Washington for the first time in 1959. Table 6 shows that the full allowable cut was attained on the national forests in Oregon that year. Never before has the Forest Service been able to achieve its sustained-yield goal of both selling and harvesting its full allowable cut in our States. Primary reason for previous failure has been lack of timber access roads.

Table 7 shows a comparison of the proportion of the allowable cut both harvested and sold by Westside national forests in Washington and Oregon for the year 1960. It shows that six of the forests sold more than their full allowable cut, three of them almost sold it, and one fell substantially below. With a softened demand, the actual cutting of the full allowable cut was attained on only two forests, nearly attained on three others, and fell substantially below on five.

Reason for better record of timber sales and harvests on national forests in Oregon and Washington is apparent from table 8. The total appropriated road funds available for the national forests of Oregon and Washington have risen almost steadily. Of course, the road and trail 10 percent automatic appropriation has continued to be the most important and its increases stem directly from the steadily improving timber access road situation during the past decade. First came the roads, then increased sales, increased revenue, and more 10-percent money. But both authorizations and appropriations were rising steadily too and they all helped.

But by far the major share of the timber access road system has been built by timber purchasers as part of their contracts to harvest national forest timber. Table 9 shows the importance of this type of construction. It shows that nearly 95 percent of the mileage of timber access roads in Washington and Oregon in the last 9 years has been built by the industry as part of its national forest timber purchase contracts. During the same period the Government has spent directly only one-fifth of the \$230 million invested in timber access roads.

In our 1958 and 1960 statements to this subcommittee we stated that while we were supporting the reenactment of the annual authorization for forest development roads and trails at the levels called for in the bills amending the Federal-Aid Highway Act of 1916, we would support any amount demonstrated necessary by evidence presented to the subcommittee.

Industrial Forestry Association supports the enactment of the \$40 million authorization for forest development roads and trails for fiscal years 1964 and 1965 as called by by section 2(2) of H.R. 9725 and H.R. 9848. As in 1960, if evidence shows that \$40 million per year is inadequate to allow continued sale and harvest of the full allowable cut (including increased allowable cut which inevitably results from revised inventories and improved technology in the industry) we support the amount demonstrated by competent authority as essential.

As in 1958 and 1960, we would again make the suggestion to the subcommittee that it should now seriously consider the subdivision of the authorization for forest development roads and trails into two items: (a) Construction and (b) maintenance. This would assure adequate funds to maintain the ever-increasing mileage of permanent timber access and other roads on the national forests. Segregation of construction and maintenance items should assist greatly the Appropriations Committees in their annual analysis and justification of the Forest Service budget request for roads.

We appreciate the opportunity of again supporting the reenactment of the biennial authorization of funds for timber access roads and would be glad to provide the subcommittee with further information on the subject from the States of Oregon and Washington.

TABLE 1.—*Ownership of live sawtimber on commercial forest lands in Washington, Jan. 1, 1961*

[Billion board feet, log scale]

	Volume	Percentage
Public:		
National forests.....	104.4	37.4
Public domain and other.....	2.4	.9
Indian.....	15.0	5.4
State, county, and municipal.....	23.3	8.4
Total.....	145.1	52.1
Private.....	133.7	47.9
Grand total.....	278.8	100.0

TABLE 2.—*Ownership of live sawtimber on commercial forest lands in Oregon, Jan. 1, 1961*

[Bill board feet, log scale]

	Volume	Percentage
Public:		
National forest.....	180.4	49.6
O. & C. and public domain.....	53.6	14.7
Indian.....	9.8	2.7
State, country, and municipal.....	12.1	3.3
Total.....	255.9	70.3
Private.....	108.0	29.7
Grand total.....	363.9	100.0

SOURCE: Data from Timber Resource Review, U.S. Forest Service adjusted by log harvest by ownerships for 1953 to 1960.

TABLE 3.—*Timber harvested by ownerships in Washington, 1951-60*

[Thousand board feet, log scale]

Calendar year	Private ¹	National forests	Public domain ² and national parks	Indian	State ³	Total
1951.....	3,464,800	773,500	12,000	177,600	250,000	4,677,900
Percent total.....	74.1	16.5	0.3	3.8	5.3	100.0
1952.....	2,871,700	801,700	14,100	245,300	300,000	4,232,300
Percent total.....	67.9	18.9	0.3	5.8	7.1	100.0
1953.....	3,542,400	942,500	18,100	276,300	300,000	5,079,300
Percent total.....	69.7	18.6	0.4	5.4	5.9	100.0
1954.....	2,495,900	883,100	16,300	253,500	350,000	3,998,800
Percent total.....	62.4	22.1	0.4	6.3	8.8	100.0
1955.....	2,994,000	862,500	23,900	321,900	448,500	4,650,700
Percent total.....	64.4	18.6	0.5	6.9	9.6	100.0
1956.....	3,261,200	944,500	21,000	281,100	526,900	5,034,700
Percent total.....	64.8	18.7	0.4	5.6	10.5	100.0
1957.....	2,530,700	900,100	19,900	194,700	404,700	4,050,100
Percent total.....	62.5	22.2	0.5	4.8	10.0	100.0
1958.....	2,291,300	1,026,700	17,500	238,400	305,200	3,879,100
Percent total.....	59.1	26.5	0.4	6.1	7.9	100.0
1959.....	2,817,500	1,437,400	20,500	304,200	289,200	4,868,800
Percent total.....	57.9	29.5	0.4	6.3	5.9	100.0
1960.....	3,000,100	1,181,000	17,800	255,900	272,000	4,726,800
Percent total.....	63.5	25.0	0.4	5.4	5.7	100.0
Grand total.....	29,269,600	9,752,900	181,100	2,548,900	3,446,500	45,199,000
Average for period.....	2,926,960	975,290	18,110	254,890	344,650	4,519,900
Percent.....	64.8	21.6	0.4	5.6	7.6	100.0

¹ Private volume for 1951-54 determined by subtracting total public from total for year. Data for 1955-60 furnished by Washington Department of Natural Resources.

² Public domain cut derived from Bureau of Land Management data on cut by fiscal years.

³ Volume estimated for 1951-54. Data for 1955-60 furnished by Washington Department of Natural Resources.

NOTE.—Data for national forests, national parks, Indian, and grand total cut for State furnished by Washington Department of Natural Resources, Olympia, Wash., and Pacific Northwest Forest and Range Experiment Station, Portland, Oreg.

TABLE 4.—*Timber harvested by ownerships in Oregon 1951-60*

[Thousand board feet, log scale]

Calendar year	Private ¹	National forests	O. & C. ² and public domain	Indian	State and County ³	Total
1951.....	6,710,500	1,216,000	399,200	178,800	200,000	8,704,500
Percent total.....	77.1	14.0	4.6	2.0	2.3	100.0
1952.....	7,653,300	1,335,300	428,800	135,100	250,000	9,802,500
Percent total.....	78.1	13.6	4.4	1.4	2.5	100.0
1953.....	6,230,200	1,518,400	510,000	128,600	200,000	8,587,200
Percent total.....	72.6	17.7	5.9	1.5	2.3	100.0
1954.....	6,269,900	1,720,400	586,000	109,400	175,000	8,860,700
Percent total.....	70.8	19.4	6.6	1.2	2.0	100.0
1955.....	6,998,800	1,768,500	610,000	142,600	200,000	9,719,900
Percent total.....	72.0	18.2	6.3	1.4	2.1	100.0
1956.....	6,505,200	1,867,600	625,000	163,000	175,000	9,335,800
Percent total.....	69.7	20.0	6.7	1.7	1.9	100.0
1957.....	5,083,600	1,658,200	594,000	52,300	175,000	7,563,100
Percent total.....	67.2	21.9	7.9	.7	2.3	100.0
1958.....	4,563,700	2,144,700	751,900	98,900	150,000	7,709,200
Percent total.....	59.2	27.8	9.8	1.3	1.9	100.0
1959.....	4,773,600	2,934,700	968,800	75,700	187,800	8,940,600
Percent total.....	53.4	32.8	10.8	0.9	2.1	100.0
1960.....	4,927,100	2,314,900	863,000	75,900	204,500	8,385,400
Percent total.....	58.8	27.6	10.3	0.9	2.4	100.0
Total.....	59,715,900	18,478,700	6,336,700	1,160,300	1,917,300	87,608,900
Average for period.....	5,971,590	1,847,870	633,670	116,030	191,730	8,760,890
Percent.....	68.2	21.1	7.2	1.3	2.2	100.0

¹ Private volume determined by subtracting total Public from Total for year.

² O. & C. cut 1951 to 1956 derived from Bureau of Land Management data on sales and cut by fiscal years. 1957 to 1960 data from Bureau of Land Management.

³ Estimated.

NOTE: Data for National Forests, Indian and Grand Total cut for State furnished by Pacific Northwest Forest & Range Experiment Station, Portland, Oreg., and Oregon State Board of Forestry, Salem, Ore.

TABLE 5.—*Actual timber cut compared with allowable annual cut for national forests in Washington, 1952-61*

[Thousand board feet, log scale]

Calendar year	Actual timber cut	Allowable annual cut	Proportion of allowable cut harvested
1952.....	724, 400	909, 700	80
1953.....	868, 900	909, 400	96
1954.....	845, 600	1, 042, 900	81
1955.....	874, 600	1, 051, 100	83
1956.....	839, 000	1, 118, 100	75
1957.....	749, 500	1, 289, 900	58
1958.....	889, 600	1, 307, 500	68
1959.....	1, 256, 400	1, 311, 100	96
1960.....	1, 061, 300	1, 318, 700	80
1961.....	1, 177, 000	1, 321, 100	89
Total.....	9, 286, 300	11, 579, 500	-----
Annual average, 1952-61.....	928, 630	1, 157, 950	80

Source: Division of Timber Management, U.S. Forest Service, Portland, Oreg.

TABLE 6.—*Actual timber cut compared with allowable annual cut for national forests in Oregon, 1952-1961*

[Thousand board feet, log scale]

Calendar year	Actual timber cut	Allowable annual cut	Proportion of allowable cut harvested
1952.....	1, 310, 100	1, 791, 200	73
1953.....	1, 452, 000	1, 791, 000	81
1954.....	1, 638, 400	1, 844, 000	89
1955.....	1, 694, 500	1, 844, 400	92
1956.....	1, 763, 600	1, 904, 400	93
1957.....	1, 541, 600	2, 057, 000	75
1958.....	2, 034, 200	2, 303, 100	88
1959.....	2, 796, 300	2, 387, 100	117
1960.....	2, 264, 300	2, 479, 900	91
1961.....	2, 625, 600	2, 595, 900	101
Total.....	19, 120, 600	20, 998, 200	-----
Annual average, 1952-61.....	1, 912, 060	2, 099, 820	91

Source: Division of Timber Management, U.S. Forest Service, Portland, Oreg.

TABLE 7.—*Comparison of allowable cut, actual cut and sales for Westside national forests, region 6, 1960*

National forest	Allowable annual cut (thousand board feet)	Volume cut, (thousand board feet)	Proportion allowable cut harvested	Volume sold, (million board feet)	Proportion allowable cut sold
Oregon:					
Mount Hood.....	314, 800	314, 100	99. 8	336, 200	106. 8
Rogue River.....	180, 000	160, 500	89. 2	247, 100	137. 3
Siskiyou.....	153, 000	166, 200	108. 6	173, 800	113. 6
Siuslaw.....	315, 000	326, 900	103. 8	312, 800	99. 3
Umpqua.....	303, 000	281, 200	92. 8	372, 300	122. 9
Willamette.....	529, 000	460, 800	87. 1	567, 400	107. 3
Washington:					
Gifford Pinchot.....	395, 000	370, 500	93. 8	400, 500	101. 4
Mount Baker.....	222, 000	198, 400	89. 4	219, 600	98. 9
Olympic.....	341, 000	250, 900	73. 6	181, 600	53. 3
Snoqualmie.....	206, 200	127, 200	61. 7	188, 700	91. 5

Source: Division of Timber Management, U.S. Forest Service, Portland, Oreg.

TABLE 8.—Road moneys allocated to region 6, U.S. Forest Service, 1950-61

Fiscal year	Forest development road and trail appropriations	Road and trail 10-per-cent fund
1950 ¹	\$1,655,976	\$1,250,101
1951	3,115,000	1,372,225
1952	2,010,000	2,624,405
1953	1,690,810	3,080,125
1954 ²	1,165,600	3,776,469
1955	7,391,900	3,104,312
1956	3,884,932	3,817,978
1957	2,470,000	5,463,564
1958	1,777,265	5,659,160
1959	2,164,153	4,613,246
1960	3,327,638	6,564,761
1961	4,174,228	7,580,300

¹ Flood repair money (Chelan Forest), \$1,065,000.

² Other miscellaneous, \$86,842.

NOTE.—Funds listed in footnotes 1 and 2 are additional to funds listed in body of table.

Source: Division of Fiscal Control, U.S. Forest Service, Portland, Oreg.

TABLE 9.—Timber access road construction, region 6, U.S. Forest Service, 1953-61

Fiscal year		Miles	Cost
1953	Purchaser constructed	519.6	\$6,784,514.00
	Government constructed ¹	35.6	4,903,989.98
1954	Purchaser constructed	639.4	10,463,427.00
	Government constructed ¹	56.1	2,926,853.23
1955	Purchaser constructed	754.6	11,810,354.00
	Government constructed ¹	62.8	8,118,206.61
1956	Purchaser constructed	1,120.5	17,937,475.00
	Government constructed ¹	119.0	4,651,513.59
1957	Purchaser constructed	1,382.6	20,344,678.74
	Government constructed ¹	57.2	4,652,022.49
1958	Purchaser constructed	1,393.1	23,488,485.03
	Government constructed ¹	33.4	7,351,525.39
1959	Purchaser constructed	1,484.1	26,644,366.00
	Government constructed ¹	84.2	5,417,769.71
1960	Purchaser constructed	1,641.4	31,372,209.25
	Government constructed ¹	66.6	3,285,469.52
1961	Purchaser constructed	1,707.8	34,472,578.08
	Government constructed ¹	74.8	5,283,597.17

¹ Timber access roads only.

Source: Division of Engineering, U.S. Forest Service, Portland, Oreg.

WELLS, NEV., April 11, 1962.

GEORGE H. FALLON,
Chairman of Subcommittee on Roads,
House Committee on Public Works, Washington, D.C.:

The city of Wells would like to go on record as being in favor of the passing of bill H.R. 10619; request this telegram be read at the hearing to be held April 12, 1962. Also request this telegram become part of the records.

MAYOR EUGENE H. PENGELLY,
City of Wells.

ELKO, NEV., April 11, 1962.

HON. GEORGE H. FALLON,
Member of Congress,
House Office Building., Washington, D.C.:

Urge that you enter in record of hearing on H.R. 10619 being conducted by your subcommittee, House Public Works Committee, our strong support this measure and appropriation for forest development roads it provides. Greater access to western forest lands urgently needed if recreational demands are to be fulfilled by Federal custodial lands.

ELKO CHAMBER OF COMMERCE.

ELY, NEV., April 11, 1962.

GEORGE H. FALLON,
Chairman, Subcommittee on Roads, House Committee on Public Works, House of Representatives, Washington, D.C.:

We heartily endorse H.R. 10619 because we feel that the sportsmen need better access to the wildlife and recreational areas. We request that our endorsement be made a part of the hearing record on H.R. 10619.

WHITE PINE FISH & GAME ASSOCIATION,
ALBERT A. STONE, *President.*

McCALL, IDAHO, April 17, 1962.

HON. GEORGE H. FALLON,
Chairman, Subcommittee on Roads, Public Works Committee, Washington, D.C.:

Request favorable consideration of legislation increasing authorization for forest development roads and ask that this telegram be made part of the record of the Subcommittee on Roads hearings on April 17 and 18.

ARTHUR M. ROBERTS,
Chairman, Village Board of Trustees.

WELLSVILLE MOUNTAIN AREA PROJECT CORP.,
Brigham City, Utah, April 13, 1962.

Chairman GEORGE H. FALLON,
*House Committee on Public Works,
Subcommittee on Roads,
Washington, D.C.*

DEAR CONGRESSMAN: We trust that during the hearings on House bill 9725 to be held April 17 and 18, that you will do everything possible to have appropriations increased for this bill.

We trust that this letter will be made a record of the hearings inasmuch as we feel that many of the roads in the Forest Service at the present time are entirely inadequate. Greater pressures and demands for recreational activities in our national forests are coming and we trust that you will accept the report, that the House bill mentioned above will be met with favor.

Respectfully,

A. FULLMER ALLRED, *President.*

UTAH STATE UNIVERSITY,
COLLEGE OF FOREST, RANGE, AND WILDLIFE MANAGEMENT,
Logan, Utah, April 13, 1962.

HON. GEORGE FALLON,
*Chairman, House Committee on Public Works, Subcommittee on Public Roads,
House of Representatives, Washington, D.C.*

DEAR CHAIRMAN FALLON: I am familiar with House bill 9725 regarding appropriations for road construction within the national forests. I would like to urge that this House bill be considered favorable, calling for an increase in appropriations for road construction over and above the well-established \$40 million. I believe this increase is not only desirable but necessary because of the increasing demands for more and better roads, particularly for recreation but also because construction costs are increasing at a rather uniform rate.

I would appreciate it if this letter could be a matter of record for the hearings to be held April 17 and 18.

Sincerely yours,

J. WHITNEY FLOYD, *Dean.*

WERER COUNTY,
Ogden, Utah, April 11, 1962.

Congressman GEORGE FALLON,
*Chairman, Subcommittee for the House Committee on Public Works, 87th Congress,
House of Representatives, Washington, D.C.*

DEAR CONGRESSMAN FALLON: It is my understanding that your subcommittee will hold a hearing on April 17 and 18 on a proposal to increase the authorization for developing roads and trails on national forests. The National Association for County Officials has proposed an increase in authorizations from \$40 million to \$67.5 million for fiscal year 1963, \$90 million fiscal year 1964, and \$120 million for fiscal year 1965. This proposal has been included in a bill H.R. 10619.

While I cannot speak for NACO, I am on the executive committee of that organization and also on Secretary Freeman's Committee on Rural Area Development. I cannot presume to speak for this Committee either but, I should like to lend my full support to this proposal and hope that your subcommittee acts favorably. From my knowledge of the needs for roads and trails on the national forests to meet the needs of timber harvest, recreation, and many other uses, I believe these increases in authorizations are urgently needed. I should like to have this statement included in the record.

Yours truly,

WERER COUNTY COMMISSIONERS,
GEORGE T. FROST, *Chairman.*

KAMAS, UTAH, April 11, 1962.

HON. GEORGE H. FALLON,
*Chairman, Subcommittee on Roads,
House of Representatives, Washington, D.C.*

DEAR MR. FALLON: The undersigned are small timber operators in this north-eastern part of Utah who are dependent entirely for the raw timber supplies by purchase from the national forests. We are small operators but have been in business in this area for many years. The country from which we get our timber supplies is generally rough and difficult of access. Providing roads into the timber sources has always been a problem with us and with the Forest Service.

Since our operations are small, it is economically impracticable for us in most instances to finance and construct roads from our own resources. The Forest Service has been providing access roads; but, since their funds are limited, they can only do this in part to meet the needs of our local industry.

We would, therefore, like to recommend to you and to your subcommittee that favorable consideration be given to the provisions of H.R. 9725, which would propose to increase the national forest road and trail authorization from the present \$40 million level to \$50 million in fiscal year 1963. We are sure that this increase would be of considerable benefit in generally providing additional access roads on national forests and would, in proportion to the increased funds, benefit our areas here in Utah.

Since the problem of access roads on national forests in this area is a continuing one, we would like to see your committee give favorable consideration to future increase in the Forest Service authorization to provide for more full development of timber as well as other resources which are of such great economic importance to our industry here and the communities that depend on use of the national forest resources.

We hope that you will see fit to include this letter in the record for any future hearings or discussions of this matter by your subcommittee.

Sincerely yours,

KAMAS VALLEY LUMBER Co.,
By WARD W. BLAZZARD.
GREYS RIVER LUMBER Co.,
By DALE J. LEAVITT.
BLAZZARD LUMBER Co.,
By J. H. BLAZZARD.

J. A. HOGLE & Co.,
Ogden, Utah, April 11, 1962.

Congressman GEORGE FALLON,
Chairman, Subcommittee for the House Committee on Public Works, 87th Congress,
House of Representatives, Washington, D.C.

DEAR CONGRESSMAN FALLON: It is my understanding that your subcommittee will hold a hearing on April 17 and 18 on a proposal to increase the authorization for developing roads and trails on national forests. The National Association for County Officials has proposed an increase in authorizations from \$40 million to \$67.5 million for fiscal year 1963, \$90 million for fiscal year 1964, and \$120 million for fiscal year 1965. This proposal has been included in a bill, H.R. 10619.

I should like to lend my full support to this proposal and hope that your subcommittee acts favorably. From my knowledge of the needs for roads and trails on the national forests to meet the needs of timber harvest, recreation, and many other uses, I believe these increases in authorizations are urgently needed. I should like to have this statement included in the record.

Very truly yours,

THEODORE G. SCHMIDT.

HOFF LUMBER Co.,
Horseshoe Bend, Idaho, April 9, 1962.

Hon. G. H. FALLON,
Chairman, Subcommittee, House Public Works,
House of Representatives, Washington, D.C.

HON. MR. FALLON: It is respectfully requested that you insert this letter as part of the record with regard to forest access roads in H.R. 9725. It is understood that you will hold hearings on this bill April 17 and 18, 1962. It is hoped the amount appropriated will be increased from \$40 million to \$50 million.

It is recognized that there is an immediate and longtime road problem that must be resolved. It is essential that forest access road funds be increased for the Federal agencies in Idaho this calendar year. It is a fact that a high level of good forest management cannot be attained until there are adequate systems of good forest access roads.

The economy of southern Idaho is dependent upon full employment of our labor force and maximum production by industries. Our economy depends almost 100 percent on Government-owned timber. Sustained yields of the Boise National Forest and Payette National Forest cannot be maintained without immediate construction of access roads.

Very truly yours,

THEODORE HOFF, Jr., Vice President.

WESTERN FORESTRY & CONSERVATION ASSOCIATION,
Portland, Ore., April 14, 1962.

Hon. GEORGE H. FALLON,
Chairman, Subcommittee, House Committee on Public Works,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN FALLON: Relative to the imminent hearings of your subcommittee on forest access roads, we respectfully request that the following remarks be given consideration by the subcommittee and entered into the record of such hearings.

Western Forestry & Conservation Association recognizes that basic to any sound program of timber utilization, as well as to an effective protection system, is an adequate forest access road system which will permit orderly harvest and salvage of current mortality. The association urges governmental agencies to make sufficient funds available to expedite completion of main line access roads on public commercial forest land. The association further urges prompt salvage of dead and dying timber.

As an example of the real need for acceleration of Federal forest access road construction, some 60 percent of the available commercial forest land in the national forests of Oregon and Washington is not yet fully developed with roads. This includes 40 percent of such land which is entirely undeveloped. Serious tree killing by insects in the intermountain region of the West has created a critical need for salvage in areas still inaccessible.

We are of the opinion that the current level of authorization for Federal forest access road construction is entirely inadequate to permit effective conservation and use of national forest resources. We urge Congress to authorize funds on the order of those called for in H.R. 10619 (Ullman, Oreg.).

Respectfully yours,

H. R. GLASCOCK, Jr., *Forest Counsel.*

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LEGISLATIVE HISTORY

Public Law 87-866
H. R. 12135

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Index and summary of H. R. 12135	1
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INDEX AND SUMMARY OF H. R. 12135

Apr.	10, 1962	Sen. McNamara introduced and discussed S. 3136 which was referred to the Senate Public Works Committee. Print of bill and remarks of Sen. McNamara.
		Rep. Buckely introduced H. R. 11199 which was referred to the House Public Works Committee. Print of bill as introduced.
May	9, 1962	Sen. Kefauver submitted a proposed amendment to S. 3136.
June	14, 1962	Rep. Fallon introduced H. R. 12135 which was referred to the House Public Works Committee. Print of bill as introduced.
June	19, 1962	House committee ordered H. R. 12135 reported.
June	28, 1962	House committee reported H. R. 12135 with amendments. H. Report No. 1948. Print of bill and report.
July	10, 1962	Rules Committee granted an open rule on H.R. 12135.
July	11, 1962	Rules Committee reported resolution for the consideration of H. R. 12135. H. Res. 723. H. Report No. 1972.
July	18, 1962	House passed H. R. 12135 with amendments.
July	19, 1962	H. R. 12135 was referred to the Senate Public Works Committee. Print of bill as referred.
Aug.	8, 1962	Sen. Randolph submitted a proposed amendment.
Aug.	11, 1962	Sen. Randolph submitted proposed amendments.
Aug.	28, 1962	Senate subcommittee voted to report H. R. 12135.
Sept.	4, 1962	Senate committee voted to report (but did not actually report) H. R. 12135.
Sept.	5, 1962	Senate committee reported H. R. 12135 with amendments. S. Report No. 1997. Print of bill and report.
Oct.	4, 1962	Senate passed H. R. 12135 with amendments.
		House and Senate conferees were appointed.
		Print of bill as passed by Senate.

INDEX AND SUMMARY OF H. R. 12135, cont'd

Oct. 10, 1962 House received conference report on H. R.
12135. H. Report No. 2549. Print of report.

Oct. 11, 1962 Both Houses agreed to the conference report
on H. R. 12135.

Oct. 23, 1962 Approved: Public Law 87-866.

DIGEST OF PUBLIC LAW 87-866

FEDERAL-AID HIGHWAY ACT OF 1962. Authorizes appropriations for the Federal-aid highway program. Authorizes the appropriation for forest highways of \$33,000,000 for fiscal years 1964 and 1965, and for forest development roads and trails of an additional \$10,000,000 for fiscal year 1963 (bringing the total authorization for that year to \$50,000,000), \$70,000,000 for fiscal year 1964, and \$85,000,000 for fiscal year 1965.

87TH CONGRESS
2D SESSION

S. 3136

IN THE SENATE OF THE UNITED STATES

APRIL 10, 1962

Mr. McNAMARA introduced the following bill; which was read twice and referred to the Committee on Public Works

A BILL

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

SECTION 1. This Act may be cited as the “Federal-Aid Highway Act of 1962”.

6 AUTHORIZATIONS

7 SEC. 2. For the purpose of carrying out the provisions of
8 title 23 of the United States Code the following sums are
9 hereby authorized to be appropriated:

10 (1) For the Federal-aid primary system and the Fed-

1 eral-aid secondary system and for their extension within
2 urban areas, out of the Highway Trust Fund, \$950,000,000
3 for the fiscal year ending June 30, 1964, and \$950,000,000
4 for the fiscal year ending June 30, 1965. The sums author-
5 ized in this paragraph for each fiscal year shall be available
6 for expenditure as follows:

7 (A) 45 per centum for projects on the Federal-aid
8 primary highway system;

9 (B) 30 per centum for projects on the Federal-
10 aid secondary highway system; and

11 (C) 25 per centum for projects on extensions of
12 the Federal-aid primary and Federal-aid secondary
13 highway systems in urban areas.

14 (2) For forest highways, \$33,000,000 for the fiscal
15 year ending June 30, 1964, and \$33,000,000 for the fiscal
16 year ending June 30, 1965.

17 (3) For forest development roads and trails, an addi-
18 tional \$10,000,000 for the fiscal year ending June 30,
19 1963, \$70,000,000 for the fiscal year ending June 30,
20 1964, and \$85,000,000 for the fiscal year ending June
21 30, 1965.

22 (4) For public land development roads and trails,
23 \$2,000,000 for the fiscal year ending June 30, 1964, and
24 \$4,000,000 for the fiscal year ending June 30, 1965.

(5) For park road and trails, \$22,000,000 for the fiscal year ending June 30, 1964, and \$25,000,000 for the fiscal year ending June 30, 1965.

(6) For parkways, \$16,000,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(7) For Indian reservation roads and bridges, \$16,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

(8) For public lands highways, \$3,000,000 for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

SEC. 3. (a) Chapter 1 of title 23, United States Code, is amended by revising the definition of the term "construction" in section 101 to read as follows:

"The term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping (including the establishment of temporary and permanent geodetic markers in accordance with specifications of the Coast and Geodetic Survey in the Department of Commerce), costs of rights-of-way (including the administrative expenses of providing arrangements for the

1 relocation of families and relocation payments to families and
2 businesses under section 133), and elimination of hazards of
3 railway-grade crossings.”

4 (b) Chapter 1 of title 23, United States Code, is
5 amended by adding a new section at the end thereof as
6 follows:

7 **“§ 133. Assistance for displaced families and businesses**

8 “(a) The Secretary, as a condition precedent to his
9 approval under section 106 of this title, shall require the
10 State highway department, through an agency or agencies
11 acceptable to the Secretary, to assure that there is a feasible
12 method for the temporary relocation of families displaced by
13 acquisition or clearance of rights-of-way for any Federal-aid
14 highways, and that there are or will be provided in areas
15 not generally less desirable in regard to the availability of
16 public utilities and public and commercial facilities at rents
17 or prices within the financial means of the families displaced
18 by the acquisition or clearance of such rights-of-way decent,
19 safe, and sanitary dwellings adequate in number to accom-
20 modate such displaced families and reasonably accessible to
21 their places of employment.

22 “(b) The Secretary may approve, as a part of the cost
23 of construction of a project on any of the Federal-aid highway
24 systems, relocation payments by a State highway depart-
25 ment, or a local public agency acting as an agent for the

1 State highway department for this purpose, to individuals,
2 families, business concerns and nonprofit organizations for
3 their reasonable and necessary moving expenses and any
4 actual direct losses of property, except goodwill or profit,
5 caused by their displacement from real property acquired for
6 such project and for which reimbursement or compensation
7 is not otherwise made.

8 “(c) Payments under this section shall be subject to
9 such rules and regulations as may be prescribed by the Sec-
10 retary, and shall not exceed \$200 in the case of an individ-
11 ual or family, or \$3,000 (or if greater, the total certified
12 actual moving expenses) in the case of a business concern
13 or nonprofit organization. Such rules and regulations may
14 include provisions authorizing payments to individuals and
15 families of fixed amounts (not to exceed \$200 in any case)
16 in lieu of their respective reasonable and necessary moving
17 expenses and actual direct losses of property.”

18 (c) The analysis of chapter 1 of title 23 of the United
19 States Code is amended by inserting at the end thereof the
20 following:

“133. Assistance for displaced families and businesses.”

21 (d) The provisions of this section shall be applicable
22 only to displacements occurring subsequent to the enactment
23 of this Act.

1 PUBLIC LAND DEVELOPMENT ROADS AND TRAILS

2 SEC. 4. (a) Section 101 of title 23, United States Code.
3 is amended by inserting immediately after the paragraph
4 which begins "The term 'project agreement' means", the
5 following:

6 "The term 'public land development roads and trails'
7 means those roads or trails that are of primary importance
8 for the development, protection, administration, and utiliza-
9 tion of lands and resources administered by the Bureau of
10 Land Management, or when necessary, for the use and devel-
11 opment of the resources upon which communities within or
12 adjacent to lands administered by the Bureau of Land Man-
13 agement are dependent."

14 (b) Chapter 2 of title 23, United States Code, is
15 amended by inserting the following new section in its
16 numerical sequence:

17 **"§ 205A. Public land development roads and trails**

18 "(a) Funds available for public land development roads
19 and trails shall be used to pay for the cost of construction and
20 improvement thereof.

21 "(b) Funds available for public land development roads
22 and trails shall be available for adjacent vehicular parking
23 areas and for sanitary, water and fire control facilities."

24 (c) The analysis of chapter 2 of title 23, United States

1 Code, is amended by inserting the following in its numerical
2 sequence:

“205A. Public land development roads and trails.”

3 AVAILABILITY OF FUNDS—OTHER HIGHWAYS

4 SEC. 5. Section 203 of title 23, United States Code, is
5 amended by inserting immediately before the phrase “park
6 roads and trails”, wherever it appears in said section, the
7 phrase “public land development roads and trails,”.

8 FEDERAL-AID SECONDARY HIGHWAY SYSTEM—

9 URBAN AREAS

10 SEC. 6. (a) The last sentence of subsection (c) of sec-
11 tion 103 of title 23, United States Code, is amended to read
12 as follows: “This system may be located both in rural and
13 urban areas, but any extension of the system into urban areas
14 shall be subject to the condition that such extension pass
15 through the urban area or connect with another Federal-aid
16 system within the urban area.”

17 (b) To the extent that this section provides additional
18 authority for the use of Federal-aid apportionments for ex-
19 tensions of the secondary system in urban areas, such addi-
20 tional authority shall apply with respect to apportionments
21 made prior to as well as after the date of approval of this Act.

1 TRANSPORTATION PLANNING IN METROPOLITAN AREAS

2 SEC. 7. (a) Chapter 1 of title 23, United States Code,
3 is amended by adding thereto a new section as follows:

4 **“§ 134. Transportation planning in metropolitan areas**

5 “It is declared to be in the national interest to encourage
6 and promote the development of balanced transportation sys-
7 tems, embracing all appropriate modes of transport in a
8 manner that will serve the States and local communities
9 efficiently and effectively. To accomplish this objective the
10 Secretary shall cooperate with the States, as authorized under
11 this title, in the development of long-range highway plans
12 and programs, properly coordinated with plans for improve-
13 ments in other forms of transportation and formulated with
14 due consideration to their probable effect on the future devel-
15 opment of metropolitan areas. The Secretary shall, begin-
16 ning no later than July 1, 1965, before approving programs
17 for projects in any metropolitan area, as required by section
18 105 hereof, make a finding that such projects are consistent
19 with adequate comprehensive development plans for the
20 metropolitan areas, or are based on the results of a continuing
21 comprehensive transportation planning process carried on
22 cooperatively by the States and local communities and that
23 the Federal-aid system so developed will be an integral part
24 of a soundly based, balanced transportation system for the
25 area involved.”

1 (b) The analysis of chapter 1 of title 23, United States
2 Code, is amended by adding at the end thereof the fol-
3 lowing:

“134. Transportation planning in metropolitan areas.”

4 HIGHWAY PLANNING AND RESEARCH FUNDS

5 SEC. 8. Subsection (c) of section 307 of title 23, United
6 States Code, is amended to read as follows:

7 “(c) Of the sums apportioned for any year, commenc-
8 ing with those for the fiscal year 1964, to any State under
9 section 104 of this title, $1\frac{1}{2}$ per centum shall be available,
10 with the approval of the Secretary, for expenditure upon
11 request of the State highway department for engineering
12 and economic surveys and investigations, for the planning of
13 future highway programs and the financing thereof, for
14 studies of the economy, safety, and convenience of high-
15 way usage and the desirable regulation and equitable taxation
16 thereof, and for research necessary in connection with the
17 planning, design, construction, and maintenance of highways
18 and highway systems, and the regulation and taxation of
19 their use. An additional one-half of 1 per centum of sums
20 apportioned for any year to any State under paragraphs
21 (1), (2), and (3) of section 104 (b) of this title shall be
22 available, with the approval of the Secretary upon the re-
23 quest of the State highway department, for highway research

1 purposes as set forth in this subsection. Sums available in
2 any State under this subsection shall be matched by the
3 State in accordance with the matching requirements of sec-
4 tion 120 of this title, except as the Secretary may determine
5 that the interests of the Federal-aid highway program would
6 be at best served without such matching. Such sums shall
7 be administered as a single fund, but their identity as inter-
8 state, primary, secondary, or urban funds shall be preserved,
9 and shall continue to be available in that State for the pur-
10 poses hereof in the same manner as provided for under sec-
11 tion 118 of this title. Any research and planning moneys
12 derived from interstate funds which are required to be re-
13 apportioned in the manner provided by subsection (b) of
14 said section 118 shall be available upon such reapportion-
15 ment only for the purposes for which such moneys were
16 originally available under this subsection.”

87TH CONGRESS
2^D SESSION

S. 3136

A BILL

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

By Mr. McNAMARA

APRIL 10, 1962

Read twice and referred to the Committee on Public Works

school, was champion roller skater of Forsythe Street and fought in the street fights engaged in by the kids of the neighborhood. He began studying the piano at the age of 12. His first teacher was a Miss Green. Later he studied with Charles Hambitzer who, quick to recognize his talents, taught him harmony and introduced him to the works of Chopin and Debussy. He attended the High School of Commerce for a short period. During that time he was official pianist for the morning assembly exercises.

At the age of 15 he became a pianist in the professional department of Jerome H. Remick & Co., publishers of popular music. His salary was \$15 a week. This job involved pounding the piano 10 to 12 hours a day. When he offered a song of his own composition he was told, "You're here as a piano-player, not a writer." He gave up the job and soon had his first song published for which he received \$5. This was in 1916. The song was called "When You Want 'Em You Can't Get 'Em, When You've Got 'Em You Don't Want 'Em," with lyrics by Murray Roth. Shortly after, he became rehearsal pianist for the Dillingham-Ziegfeld production "Miss 1917." During a Sunday night concert at the Century Theater where "Miss 1917" was playing, Miss Vivienne Segal introduced two of his numbers which brought him to the attention of Max Dreyfus, then head of Harms, Inc., music publishers. He signed with Dreyfus at \$35 a week. Although he had many more flattering offers he decided that his place was with Dreyfus who was not only a publisher of musical comedies and operettas but also a fine musician and a student of the classics. During this time he continued his musical studies with Edward Kilenyi and then Rubin Goldmark. There was rarely a period in his life when he was not studying. His last teacher was Dr. Joseph Shillinger.

In 1919 he wrote his first complete score for Broadway in the musical comedy produced by Alex Aarons, "La La Lucille," although before this he had contributed interpolations to various other musical shows. That same year he wrote his first big song hit, "Swanee," for which Irving Caesar wrote the words and which Al Jolson sang in "Sinbad."

From then on Gershwin's rise was rapid. Beginning in 1920 he wrote, among other things, the music for "George White's Scandals" for 5 consecutive years. It was in the fourth of this series, in 1923, that he attempted a work more extended than the usual 32-bar form. It was a short one-act opera called "135th Street," and in it may be found the beginnings of his later creative expressions. Paul Whiteman was in the "Scandals" of 1923 and was so impressed with the quality of the music that he later, in 1924, invited George to contribute to the now historic concert at Aeolian Hall, February 12, 1924, where the "Rhapsody in Blue" was first played.

Deems Taylor wrote, following the playing of the Rhapsody, that Gershwin was "a link between the jazz camp and the intellectuals." After the worldwide success of the "Rhapsody," leading composers began to experiment with jazz.

Presently the New York Symphony Society commissioned Gershwin to compose a work of symphonic scope. As a result the "Concerto in F" was heard at Carnegie Hall with Walter Damrosch conducting and the composer at the piano. Incidentally, this was the first work that Gershwin orchestrated himself; all he had ever done in this line was a number or two in "Primrose," an operetta he wrote in London.

Beginning in 1924 with "Lady, Be Good," he composed for Aarons and Freedley seven musical comedies (with lyrics by his brother Ira) "Tip-Toes," "Oh, Kay," "Funny Face,"

"Treasure Girl," "Girl Crazy," and "Pardon My English."

In 1928 he wrote "An American in Paris" which was first performed by the Philharmonic-Symphony Society, again under Damrosch. Curiously enough, the typically French sections were written in New York while the American "blues" section was written at the Hotel Majestic in Paris.

In 1926 Edgar Selwyn told George S. Kaufman he would like him to do an entirely new type of musical with the Gershwins. "Strike Up the Band" was the result and was hailed with delight by the few but the many thought it far too bitter. With the assistance of Morrie Ryskind it was rewritten in 1930 and was the first of the three satirical operettas done by the quartet of Kaufman, Ryskind and the Gershwins. The second was "Of Thee I Sing," which was awarded the Pulitzer Prize in 1932 (produced by Sam H. Harris) and was followed by "Let 'Em Eat Cake" in 1933.

Mr. Gershwin often appeared at the Lewisohn Stadium Concerts of the Philharmonic Symphony in New York as soloist composer, and conductor. One program devoted entirely to his own works, given August 16, 1932, attracted an audience of over 18,000 which set a record for this stadium. At Ravinia Park and other stadiums and concert halls his appearance usually broke local records for attendance. In the year 1936 he had more performances of his works played by symphonic organizations than did any other American composer.

Perhaps his most ambitious work was "Porgy and Bess." He first got the idea of making an opera of Du Bose Heyward's novel some 9 years before it was finally produced as such for he had found on writing Heyward that a dramatic version was being readied for the theater. In 1933 he and Heyward got the New York Theater Guild to sponsor an operatic version. With Ira helping on the lyrics and Rouben Mamoulian directing, the opera opened to great acclaim in Boston, then played 16 weeks in New York and was followed by a road tour. It will be seen in full in Los Angeles in February 1938 under the sponsorship of Merle Armitage. Also a European presentation is being readied.

Hollywood called in 1930 and the picture "Delicious" resulted. In the Summer of 1936 he again appeared in Hollywood to do "Shall We Dance?" For Astaire-Roberts, "A Damsel in Distress," now in production and was working on the "Goldwyn Follies" when the collapse occurred which 2 weeks later proved to be caused by a tumor in the brain. He died Sunday morning, July 11, 1937, in Los Angeles at the age of 38.

Besides his music, Mr. Gershwin was also interested in painting. He became an ardent collector. Also about 1928 he himself began to paint, and was considered exceedingly capable by professional critics. Early this year he completed portraits of Jerome Kern and Arnold Schoenberg.

Mr. JAVITS. I point out that here, too, is an Horatio Alger story, as George was born in Brooklyn, spent most of his life on the lower East Side—I know that life well, since it was my own origin—and rose to the great height of world recognition as an artist and composer.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3132) to provide for the issuance of a special series of postage stamps in recognition of the 25th anni-

versary of the death of George Gershwin, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special series of postage stamps, of such appropriate design and denomination as he shall prescribe, in recognition of the 25th anniversary of the death of George Gershwin. Such stamps shall be first offered for sale to the public at New York City, N.Y., on as early a date as practicable during the calendar year 1962.

FEDERAL LOANS TO CERTAIN LOCAL PUBLIC SCHOOL SYSTEMS

Mr. DODD. Mr. President, on March 21 I introduced a bill to authorize the Federal Government to make grants to local school districts to cover the cost of drawing up desegregation plans and the cost of preparing school personnel to deal with the problems incident to desegregation.

Today I am introducing a bill which deals with a more serious obstacle in the path of the desegregation of our Nation's schools.

It would provide Federal loans to local school systems whose normal revenues have been cut off by their State or county government because they attempt to desegregate. The terms of these loans would be worked out by the Secretary of Health, Education, and Welfare on a flexible basis to be adapted to the immediate need.

These loans will enable desegregating school districts to keep their schools in operation until such time as State and county governments are brought, through one means or another, to recognize the futility of their resistance to the Constitution and to the moral insistence of the American people that equal rights and opportunities be extended to all Americans.

There are a number of instances, and they will multiply in the future, in which local school boards are trying to desegregate in compliance with the Supreme Court decision but are prevented from doing so because State or county authorities cut off the funds that are necessary to operate local schools.

The most publicized instance of the denial of funds to a school board preparing for desegregation occurred in New Orleans, where those who would obey the law were blocked by those who would not. There were similar occurrences in Virginia in 1958 and in Arkansas in 1957.

In Alabama, Mississippi, and South Carolina no measures have been taken toward school integration. One reason for this is the widespread belief in these States that any school board attempting to desegregate its schools will lose the State assistance that is necessary to maintain local schools.

We have here a rather novel political problem which is that State governments are blocking the attempts of local school districts to comply with the Fed-

eral Constitution. In the long run, the courts will strike down these interferences but in the short run, the Federal Government can speed desegregation by making available to localities the funds denied them. Local school systems would thus be able to operate their schools until such time as court decisions reopen the closed sources of revenue.

We must look upon these attempts to circumvent the Supreme Court desegregation decision as a sort of last-ditch resistance that will pass away. Devices of this kind will succeed for a time but we know that in the end, desegregation will prevail. It must prevail if our Nation is to continue its progress toward ever fuller realization of the concepts of equality, liberty, and individual dignity which gave it birth.

Our task, in the meantime, is to speed the process as much as we can and at the same time to prevent thousands of schoolchildren from becoming victims of tragedies such as the total shutdown of the school system in Prince Edward County, Va.

This is a modest proposal but it meets a specific demonstrated need and could have a great effect in hastening the general desegregation of our Nation's schools. We know that once desegregation is successfully carried out in any new locality, it will spread rapidly in all directions.

This bill is designed to enable those local communities that wish to comply with the law of the land to do so, and by their example, to speed the day when boys and girls in every community in this land can expect and receive the inheritance envisioned for them at the founding of this Nation: fair treatment, equal rights, and an honest chance to compete on even terms for their share in the promise of American life.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3133) to authorize loans by the Federal Government to local public school systems whose funds have been withheld or withdrawn by State or local governments because of the desegregation of one or more schools in such systems, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION OF CERTAIN HIGHWAYS, FISCAL YEARS 1964 AND 1965

Mr. McNAMARA. Mr. President, I introduce for appropriate reference, a bill to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance to title 23 of the United States Code and for other purposes.

I ask unanimous consent that a letter from the Acting Secretary of Commerce to the President of the Senate—explaining the bill—be printed in the RECORD at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3136) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, introduced by Mr. McNAMARA, was received, read twice by its title, and referred to the Committee on Public Works.

The letter presented by Mr. McNAMARA is as follows:

THE SECRETARY OF COMMERCE,
Washington, D. C., April 6, 1962.

The HONORABLE PRESIDENT OF THE SENATE,
Washington, D. C.

DEAR MR. PRESIDENT: The Department of Commerce submits herewith as a part of its legislative program for the 87th Congress, 2d session, a draft of a proposed bill: "to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes."

The Department of Commerce recommends enactment of the proposed legislation by the Congress.

The draft bill, which is designated the "Federal-Aid Highway Act of 1962," would carry out the recommendations made by the President in his transportation message which has just been submitted to the Congress, and would provide for levels of authorizations proposed in the 1963 budget for the Federal-aid highway program. Its broad purpose is to provide the necessary authorizations for continuation of the Federal-aid highway program and for other Federal highway and road construction programs in the Departments of Commerce, Interior, and Agriculture, and to strengthen and improve the role that the Federal-aid highway program will play as part of the President's program to assist in the planning and development of comprehensive and balanced urban transportation.

The draft bill provides for authorizations of \$950 million for the Federal-aid primary and secondary highway systems and their extensions within urban areas for each of the fiscal years 1964 and 1965. This level was recommended by the President, to the Congress in his special highway message of February 28, 1961. It represents an increase of \$25 million for each year over the \$925 million authorized for each of the two previous fiscal years, and is consistent with the national interest expressed in section 101(b) of title 23, United States Code.

The bill also includes authorizations for the fiscal year 1964 and for the fiscal year 1965 to continue programs for forest highways, forest development roads and trails, park roads and trails, parkways, Indian reservation roads and bridges, and public lands highways. In addition, authorizations for a new program are proposed for public land development roads and trails for the development, protection, administration and utilization of lands and resources administered by the Bureau of Land Management in the Department of the Interior. Proposed authorizations for these programs, together with amounts previously authorized for fiscal years 1962 and 1963, are shown in the enclosed schedule. Additional justification will be provided by the Departments of the Interior and Agriculture for those direct road programs within their jurisdictions.

A major objective of this bill is to increase the effectiveness of the Federal aid highway program as an instrument of Federal assistance for strengthening and improving urban transportation. In order to achieve this objective, the President has recommended in his transportation message that four amendments be made to Federal aid highway law. These proposals have been incorporated into this draft bill and are described below.

A new program of Federal assistance is proposed for families and businesses displaced as a result of Federal-aid highway construction comparable to existing provisions under urban renewal legislation. The Bureau of Public Roads estimates that about 15,000 families and 1,500 businesses will be displaced each year in the next 6 to 8 years by the completion of the Interstate System alone. Section 3 of the bill amends Federal-aid highway law to redefine the term "construction" to specifically include relocation payments and administrative expenses incurred by the States in providing assistance, as an appropriate cost of right-of-way acquisition for highway projects. This section also authorizes the Secretary of Commerce to require assurances by the State highway departments of feasible temporary relocation methods and of the availability of suitable dwellings to accommodate displaced families, and to approve Federal-aid participation in State relocation payments, with specified limitations, for reasonable and necessary moving expenses and actual property losses not otherwise compensated.

Certain States are finding it increasingly difficult to improve the extensions of the Federal-aid secondary system into urban areas because of the higher priority for the use of available urban funds on the improvement of arterial streets in these areas. Under existing law, secondary funds are not available under certain conditions for use in urban areas and, as a result, in many cases secondary routes are improved up to the urban limits, and urban funds are not available for their improvement within these urban limits. Section 6 of the bill would remove the present limitation on the use of Federal-aid secondary funds for financing extensions of the secondary system in urban areas.

A major objective of national transportation policy in the use of Federal assistance programs should be to encourage and facilitate the development by States and local communities of balanced transportation systems consistent with long-range comprehensive development plans. In order that this objective may be expeditiously carried out, certain modifications of the basic Federal-aid highway legislation are considered highly desirable. Accordingly, section 7 of the bill would require, as a condition to the approval of a highway program involving a metropolitan area, that State and local agencies undertake transportation planning on a continuing basis which should be consistent with adequate comprehensive development plans prepared for such metropolitan areas.

This provision, we believe, would encourage balanced transportation planning and improve the quality of general metropolitan planning. It would in no way delay the current Federal aid highway program. Reasonable time would be allowed for the States and local communities to establish the continuing planning process that would be required and to produce the plans to which their highway systems would conform. The cooperative working arrangements undertaken by the Bureau of Public Roads with States and localities in the area of transportation planning will permit the Federal guidance and leadership necessary to achieve the objective of sound and uniform transportation planning in metropolitan areas.

In order to stimulate additional highway research activities in the Federal-State cooperative areas, provisions of existing law regarding the use of Federal aid highway funds apportioned to the States for planning and research purposes are revised significantly by section 8 of the draft bill. Generally, this section provides that the amount of funds available for all forms of highway research would be increased, highway planning and research funds would be matched by the States, and the funds if not so used for these purposes would lapse.

More specifically, an additional one-half of 1 percent would be made available for highway research purposes from funds apportioned to the States for the Federal aid primary, secondary, and urban programs. This additional one-half of 1 percent, together with State matching funds, would amount to almost \$10 million annually, and would be in addition to the present 1½ percent which is currently being used for both highway planning and highway research.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely yours,

C. D. MARTIN, Jr.,

Acting Secretary of Commerce.

Schedule of existing authorizations for direct Federal highway and road construction programs and proposed authorizations under draft bill to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes

[Fiscal years. In millions]

Program	Existing authorizations		Proposed authorizations		
	1962	1963	1963	1964	1965
Forest highways.....	\$33.0	\$33	-----	\$33	\$33
Forest development roads and trails.....	35.0	40	\$10	70	85
Public land development roads and trails.....	-----	-----	-----	2	4
Park roads and trails.....	18.0	18	-----	22	25
Parkways.....	16.0	16	-----	16	16
Indian reservation roads and bridges.....	12.0	12	-----	16	18
Public lands highways.....	3.5	3	-----	3	3

AIRCRAFT NOISE ABATEMENT

Mr. KEATING. Mr. President, I introduce for appropriate reference a bill to amend the Federal Aviation Act of 1958. The purpose of this amendment is to direct the Administrator of the Federal Aviation Agency to conduct and encourage research to determine criteria for and means of abating objectionable aircraft noise. He would be authorized to do this within the Federal Aviation Agency or in cooperation with any other public and private agencies.

Mr. President, the problem of aircraft noise is an increasingly serious one. Those who live near airports can testify to the increased air traffic over the last decade. Moreover, jet flights are now being introduced at airports across the Nation. Millions of dollars are being spent to expand runways to provide for jets. Next to nothing is being spent to preserve the comfortable homes and quiet neighborhoods in communities near our large airports.

Mr. President 20th century America certainly cannot ban the airplane. There is also no point in locating airports so far away from the people who use them that it takes longer to get to the airport than it does to make the flight.

It is not enough merely to set flight patterns that minimize noise in residential areas or establish ceilings for flight. Undoubtedly, these regulations do some good, but, at best, routing patterns provide a measure of relief from the

worst noise nuisances, limited by wind, weather, and other flight requirements. They are not a cure.

Mr. President, the real gravity of the noise abatement problem has been underscored by the Supreme Court decision of early March. In a unanimous decision, the Court held that property owners must be compensated when low flights make property so useless as to constitute a "taking" of the property for public use. The Constitution requires that just compensation be provided for any property so taken. By a 7-to-2 vote the Court held that an agency operating an airport was liable for compensation payments under these circumstances. Suits have already been filed against the New York Port Authority, which operates New York's International Airport at Idlewild, and other agencies and municipalities all over the country. More suits are expected.

Frankly, Mr. President, I do not consider aircraft noise an insoluble problem. I find it hard to believe that a nation which can send a man three times around the world in space is still unable to devise a method for quieting the operations of a jet or propeller plane.

Mr. President, I am aware that, even without this legislation, the Federal Aviation Agency is taking its first tentative steps forward. In cooperation with NASA, the FAA last July began a program to define and rate noise levels so that standards can be established, both for individual engines and for airport areas. FAA is apparently also on the verge of letting contracts in a long-term supersonic transport engine development program, which will include work on internal engine contours designed to reduce noise at the source.

The purpose of this legislation is to spell out, beyond any doubt, in the text of the Federal Aviation Act, the responsibility of the Agency in this area. Its purpose is to give the full weight of congressional support to noise abatement efforts and specifically to direct the Administrator to move forward with vigor and imagination to meet this challenging problem. I know full well that we cannot legislate a solution to the noise problem. But we can and should write clearly into the legislation our deep interest in and support for an accelerated and expanded program of aircraft noise abatement efforts. I strongly urge my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3138) to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 312 of the Federal Aviation Act of 1958 is

amended by inserting at the end thereof the following:

"NOISE ABATEMENT RESEARCH

"(d) The Administrator shall conduct, and encourage, cooperate with, and render assistance to, other appropriate public or private agencies or organizations in the conduct of research to determine means for establishing practical aircraft noise criteria and for abating objectionable aircraft noise. For the purpose of carrying out the provisions of this subsection the Administrator may make grants, contracts, or other arrangements without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529 and 41 U.S.C. 51)."

JOINT SELECT COMMITTEE TO STUDY THE PROBLEM OF THE PROPER FORM OF LOCAL SELF-GOVERNMENT FOR THE DISTRICT OF COLUMBIA

Mr. PROUTY. Mr. President, I introduce for appropriate reference, a bill which would establish a joint select committee of the Congress, consisting of three Senators and three Members of the House, for the purpose of studying the problem of the proper form of local self-government of the District of Columbia.

The bill, in addition, would authorize appropriation of the sum of \$50,000 for expenses attendant upon the business of such joint committee for the purpose of hiring necessary assistants.

The bill requires that the committee prepare a report, including a suggested form of self-government of the District together with reasons for its conclusions. That report would be required to be submitted to the Congress not later than January 1, 1963.

I am convinced that there is some necessity and justification for the matters contained in this bill and I shall discuss them at length and in some detail at a later time.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3139) making an authorization for an appropriation to provide for the expenses of a joint select committee of the Senate and House of Representatives to study the problem of local self-government for the District of Columbia, and for other purposes, introduced by Mr. PROUTY, was received, read twice by its title, and referred to the Committee on the District of Columbia.

JURISDICTION OVER LANDS WITHIN FORT HANCOCK MILITARY RESERVATION, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to enable the Federal Government to retrocede jurisdiction to the State of New Jersey in the area of Sandy Hook, N.J., now under lease to the State for use as a State recreation area.

This bill would remove a technical difficulty that still remains despite the close cooperation among State and Federal officials on all steps taken to make this area available to the State.

Sandy Hook was, until an agreement was signed in recent months, reserved by the Army for military purposes. Fort

Hancock is on this peninsula; so are several Nike missile bases. Last summer however—with the help of the President, Secretary of the Interior Udall, and the Department of Defense—the State was successful in convincing the Army officials that a 460-acre area on the peninsula could be leased to the State for recreation purposes. The State will prepare detailed plans, too, for the possible use of other parts of Sandy Hook for similar development if military needs permit.

We in New Jersey appreciate the cooperation of the many Federal officials who have helped in this project. Several of them were present at the recent dedication ceremonies for the first recreation area. It was a memorable occasion.

However, one technical item remains. I have been informed by the New Jersey State Department of Conservation and Economic Development that, when Sandy Hook was originally given to the Federal Government, jurisdiction over the area was given up by the State and turned over to the Federal Government.

This means that, while the State has the lower part of Sandy Hook under lease, it has no jurisdiction thereon. Any kinds of crimes committed would have to be referred to the F.B.I. State officials would have no authority to make any arrests or do any other type of police activity.

And so it is necessary for the Federal Government to retrocede jurisdiction to the State. I might point out that previous Federal legislation has authorized the Department of the Army to take similar action in other cases. The bill I introduce today is identical with one passed by Congress in the case of the State of Illinois in connection with the Fort Sheridan Military Reservation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3141) to authorize the Secretary of the Army to relinquish to the State of New Jersey jurisdiction over any lands within the Fort Hancock Military Reservation, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Armed Services.

AMENDMENT OF SECTION 660 OF TITLE 18, UNITED STATES CODE, RELATING TO MISUSE OF COMMON CARRIERS' FUNDS DERIVED FROM COMMERCE

Mr. SMATHERS. Mr. President, I introduce, for appropriate reference, a bill which would amend section 660 of title 18, United States Code, in order to protect the funds and property owned or transported by common carriers in interstate commerce. Under existing law, officers, directors, and employees of interstate transportation companies are subject to Federal prosecution if they misappropriate moneys or property in commerce.

There is, however, a growing trend in transportation toward the use of independent contractors to perform services

once performed by employees. Existing Federal law is not applicable to these independent contractors. As a result, many interstate carriers have not been able to get protection from theft or embezzlement.

Several cases have been called to the attention of the Commerce Committee involving conversion of the funds of a common carrier. Because of the multi-state nature of the operations, it is impossible to identify in which State the criminal act occurred. Therefore, no State has been able to prosecute and the offender had to answer to no law. This situation and its variations have been repeated many times.

Mr. President, my purpose in introducing this measure is twofold. Common carriers are currently experiencing some critical financial problems. The crimes which would be covered by the broadened scope of Federal criminal law represent an area where the carriers involved have been helpless to stop the depletion of their assets. Adoption of this proposal and some prosecutions pursuant to its terms would have a healthy deterrent effect.

In addition to conserving transportation capital, this measure would also reduce charges to the public, for in the final analysis shippers and consumers will find that they bear the burden in the form of increased rates. In the same way that the cost of labor and fuel and capital equipment is passed on to the public, the cost of criminal acts depleting common carrier revenue is passed on. This should be stopped, and it can be.

I sincerely trust that the committee to which this measure is referred will act promptly and favorably on this measure which undoubtedly is in the public interest.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3143) to amend section 660 of title 18 of the United States Code, relating to the misuse of common carriers' funds derived from commerce, in order to expand the coverage of such section, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, TO PROVIDE A CREDIT FOR INVESTMENT IN CERTAIN DEPRECIABLE PROPERTY—AMENDMENTS

Mr. COTTON submitted an amendment, intended to be proposed by him, to the bill (H.R. 10650) to amend the Internal Revenue Code of 1954 to provide a credit for investment in certain depreciable property, to eliminate certain defects and inequities, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. HARTKE submitted an amendment, intended to be proposed by him, to House bill 10650, supra, which was referred to the Committee on Finance and ordered to be printed.

CREATION OF BOARD OF PUBLIC LANDS APPEALS IN THE OFFICE OF SECRETARY OF THE INTERIOR—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of April 4, 1962, the names of Mr. BIBLE and Mr. CHURCH were added as additional cosponsors of the bill (S. 3107) to establish in the Office of the Secretary of the Departments of the Interior a Board of Public Lands Appeals, and for other purposes, introduced by Mr. GRUENING (for himself and other Senators) on April 4, 1962.

SERVING OF ALCOHOLIC BEVERAGES IN SENATE WING OF THE CAPITOL OR THE SENATE OFFICE BUILDINGS—ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the order of the Senate of April 5, 1962, the names of Mr. JOHNSTON, Mr. THURMOND, Mr. CARLSON, and Mr. WILLIAMS of Delaware were added as additional cosponsors of the resolution (S. Res. 325) to amend rule XXXIV to prohibit the serving of hard liquor in Senate wing of the Capitol or Senate Office Buildings, submitted by Mr. MORSE on April 5, 1962.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of G. Griffith Johnson, of Connecticut, to be an Assistant Secretary of State for Economic Affairs.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NOTICE OF HEARINGS ON FOREIGN ASSISTANCE PROGRAM BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I wish to announce that the committee will hear public witnesses on the foreign assistance program for 1963 beginning at 10 o'clock Wednesday morning, April 18, in room 4221, New Senate Office Building.

NOTICE OF POSTPONEMENT OF HEARING ON NOMINATION OF IRVING BEN COOPER TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF NEW YORK

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that the public hearing scheduled for Thursday, April 12, 1962, at 10:30 a.m., on the nomination of Irving Ben Cooper, of New York, to be U.S. district judge, for the southern district of New York, has been postponed to Thursday, May 3, 1962, at

1 eral-aid secondary system and for their extension within
2 urban areas, out of the Highway Trust Fund, \$950,000,000
3 for the fiscal year ending June 30, 1964, and \$950,000,000
4 for the fiscal year ending June 30, 1965. The sums author-
5 ized in this paragraph for each fiscal year shall be available
6 for expenditure as follows:

7 (A) 45 per centum for projects on the Federal-aid
8 primary highway system;

9 (B) 30 per centum for projects on the Federal-aid
10 secondary highway system; and

11 (C) 25 per centum for projects on extensions of
12 the Federal-aid primary and Federal-aid secondary high-
13 way systems in urban areas.

14 (2) For forest highways, \$33,000,000 for the fiscal
15 year ending June 30, 1964, and \$33,000,000 for the fiscal
16 year ending June 30, 1965.

17 (3) For forest development roads and trails, an ad-
18 ditional \$10,000,000 for the fiscal year ending June 30,
19 1963, \$70,000,000 for the fiscal year ending June 30, 1964,
20 and \$85,000,000 for the fiscal year ending June 30, 1965.

21 (4) For public land development roads and trails,
22 \$2,000,000 for the fiscal year ending June 30, 1964, and
23 \$4,000,000 for the fiscal year ending June 30, 1965.

24 (5) For park roads and trails, \$22,000,000 for the

1 fiscal year ending June 30, 1964, and \$25,000,000 for the
2 fiscal year ending June 30, 1965.

3 (6) For parkways, \$16,000,000 for the fiscal year
4 ending June 30, 1964, and \$16,000,000 for the fiscal year
5 ending June 30, 1965.

6 (7) For Indian reservation roads and bridges, \$16,-
7 000,000 for the fiscal year ending June 30, 1964, and
8 \$18,000,000 for the fiscal year ending June 30, 1965.

9 (8) For public lands highways, \$3,000,000 for the
10 fiscal year ending June 30, 1964, and \$3,000,000 for the
11 fiscal year ending June 30, 1965.

12 ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

13 SEC. 3. (a) Chapter 1 of title 23, United States Code, is
14 amended by revising the definition of the term "construction"
15 in section 101 to read as follows:

16 "The term 'construction' means the supervising, inspect-
17 ing, actual building, and all expenses incidental to the con-
18 struction or reconstruction of a highway, including locating,
19 surveying, and mapping (including the establishment of
20 temporary and permanent geodetic markers in accordance
21 with specifications of the Coast and Geodetic Survey in the
22 Department of Commerce), costs of rights-of-way (includ-
23 ing the administrative expenses of providing arrangements
24 for the relocation of families and relocation payments to

1 families and businesses under section 133), and elimination
2 of hazards of railway grade crossings.”

3 (b) Chapter 1 of title 23, United States Code, is
4 amended by adding a new section at the end thereof as
5 follows:

6 **“§ 133. Assistance for displaced families and businesses**

7 “(a) The Secretary, as a condition precedent to his
8 approval under section 106 of this title, shall require the
9 State highway department, through an agency or agencies
10 acceptable to the Secretary, to assure that there is a feasible
11 method for the temporary relocation of families displaced
12 by acquisition or clearance of rights-of-way for any Federal-
13 aid highways, and that there are or will be provided in
14 areas not generally less desirable in regard to the avail-
15 ability of public utilities and public and commercial facilities
16 at rents or prices within the financial means of the families
17 displaced by the acquisition or clearance of such rights-of-
18 way, decent, safe, and sanitary dwellings adequate in num-
19 ber to accommodate such displaced families and reasonably
20 accessible to their places of employment.

21 “(b) The Secretary may approve, as a part of the
22 cost of construction of a project on any of the Federal-aid
23 highway systems, relocation payments by a State highway
24 department, or a local public agency acting as an agent
25 for the State highway department for this purpose, to indi-

viduals, families, business concerns, and nonprofit organizations for their reasonable and necessary moving expenses and any actual direct losses of property, except goodwill or profit, caused by their displacement from real property acquired for such project and for which reimbursement or compensation is not otherwise made.

“(c) Payments under this section shall be subject to such rules and regulations as may be prescribed by the Secretary, and shall not exceed \$200 in the case of an individual or family, or \$3,000 (or if greater, the total certified actual moving expenses) in the case of a business concern or nonprofit organization. Such rules and regulations may include provisions authorizing payments to individuals and families of fixed amounts (not to exceed \$200 in any case) in lieu of their respective reasonable and necessary moving expenses and actual direct losses of property.”

(c) The analysis of chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof the following:

“133. Assistance for displaced families and businesses.”

(d) The provisions of this section shall be applicable only to displacements occurring subsequent to the enactment of this Act.

1 PUBLIC LAND DEVELOPMENT ROADS AND TRAILS

2 SEC. 4. (a) Section 101 of title 23, United States Code,
3 is amended by inserting immediately after the paragraph
4 which begins "The term 'project agreement' means", the
5 following:

6 "The term 'public land development roads and trails'
7 means those roads or trails that are of primary importance
8 for the development, protection, administration, and utiliza-
9 tion of lands and resources administered by the Bureau of
10 Land Management, or when necessary, for the use and devel-
11 opment of the resources upon which communities within or
12 adjacent to lands administered by the Bureau of Land
13 Management are dependent."

14 (b) Chapter 2 of title 23, United States Code, is
15 amended by inserting the following new section in its
16 numerical sequence:

17 **"§ 205A. Public land development roads and trails**

18 "(a) Funds available for public land development roads
19 and trails shall be used to pay for the cost of construction
20 and improvement thereof.

21 "(b) Funds available for public land development roads
22 and trails shall be available for adjacent vehicular parking
23 areas and for sanitary, water, and fire control facilities."

24 (c) The analysis of chapter 2 of title 23, United States

1 Code, is amended by inserting the following in its numerical
2 sequence:

“205A. Public land development roads and trails.”

3 AVAILABILITY OF FUNDS—OTHER HIGHWAYS

4 SEC. 5. Section 203 of title 23, United States Code, is
5 amended by inserting immediately before the phrase “park
6 roads and trails”, wherever it appears in said section, the
7 phrase “public land development roads and trails,”.

8 FEDERAL-AID SECONDARY HIGHWAY SYSTEM—

9 URBAN AREAS

10 SEC. 6. (a) The last sentence of subsection (c) of sec-
11 tion 103 of title 23, United States Code, is amended to read
12 as follows: “This system may be located both in rural and
13 urban areas, but any extension of the system into urban
14 areas shall be subject to the condition that such extension pass
15 through the urban area or connect with another Federal-aid
16 system within the urban area.”

17 (b) To the extent that this section provides additional
18 authority for the use of Federal-aid apportionments for ex-
19 tensions of the secondary system in urban areas, such addi-
20 tional authority shall apply with respect to apportionments
21 made prior to as well as after the date of approval of this
22 Act.

1 TRANSPORTATION PLANNING IN METROPOLITAN AREAS

2 SEC. 7. (a) Chapter 1 of title 23, United States Code,
3 is amended by adding thereto a new section as follows:

4 **“§ 134. Transportation planning in metropolitan areas**

5 “It is declared to be in the national interest to encourage
6 and promote the development of balanced transportation sys-
7 tems, embracing all appropriate modes of transport in a
8 manner that will serve the States and local communities
9 efficiently and effectively. To accomplish this objective the
10 Secretary shall cooperate with the States, as authorized under
11 this title, in the development of long-range highway plans
12 and programs, properly coordinated with plans for improve-
13 ments in other forms of transportation and formulated with
14 due consideration to their probable effect on the future devel-
15 opment of metropolitan areas. The Secretary shall, begin-
16 ning no later than July 1, 1965, before approving programs
17 for projects in any metropolitan area, as required by section
18 105 hereof, make a finding that such projects are consistent
19 with adequate comprehensive development plans for the
20 metropolitan areas, or are based on the results of a continu-
21 ing comprehensive transportation planning process carried
22 on cooperatively by the States and local communities and
23 that the Federal-aid system so developed will be an integral
24 part of a soundly based, balanced transportation system for
25 the area involved.”

1 (b) The analysis of chapter 1 of title 23, United States
2 Code, is amended by adding at the end thereof the following:

“134. Transportation planning in metropolitan areas.”

3 HIGHWAY PLANNING AND RESEARCH FUNDS

4 SEC. 8. Subsection (c) of section 307 of title 23, United
5 States Code, is amended to read as follows:

6 “(c) Of the sum apportioned for any year, commenc-
7 ing with those for the fiscal year 1964, to any State under
8 section 104 of this title, $1\frac{1}{2}$ per centum shall be available,
9 with the approval of the Secretary, for expenditure upon
10 request of the State highway department for engineering and
11 economic surveys and investigations, for the planning of
12 future highway programs and the financing thereof, for
13 studies of the economy, safety, and convenience of highway
14 usage and the desirable regulation and equitable taxation
15 thereof, and for research necessary in connection with the
16 planning, design, construction, and maintenance of highways
17 and highway systems, and the regulation and taxation of
18 their use. An additional one-half of 1 per centum of sums
19 apportioned for any year to any State under paragraphs (1),
20 (2), and (3) of section 104 (b) of this title shall be avail-
21 able, with the approval of the Secretary upon the request
22 of the State highway department, for highway research
23 purposes as set forth in this subsection. Sums available in

1 any State under this subsection shall be matched by the State
2 in accordance with the matching requirements of section 120
3 of this title, except as the Secretary may determine that the
4 interests of the Federal-aid highway program would be at
5 best served without such matching. Such sums shall be ad-
6 ministered as a single fund but their identity as interstate,
7 primary, secondary, or urban funds shall be preserved, and
8 shall continue to be available in that State for the purposes
9 hereof in the same manner as provided for under section 118
10 of this title. Any research and planning moneys derived
11 from interstate funds which are required to be reapportioned
12 in the manner provided by subsection (b) of said section 118
13 shall be available upon such reapportionment only for the
14 purposes for which such moneys were originally available
15 under this subsection.”

A BILL

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

By Mr. BUCKLEY

APRIL 10, 1962

Referred to the Committee on Public Works

May 9, 1962

12. SMALL BUSINESS. The Small Business Subcommittee of the Banking and Currency Committee approved for full committee consideration with amendments S. 2970, to amend the Small Business Act so as to provide for the establishment of a revolving fund to finance certain functions of the Small Business Administration. p. D348
13. PRICE STABILITY. Sen. Humphrey inserted the President's address before the United Auto Workers convention at Atlantic City on "his concern with maintaining price stability in the American economy." pp. 7450-3
14. DAIRY INDUSTRY. Sen. Wiley inserted a series of resolutions adopted by the Consolidated Badger Cooperative (Wisc.) on various aspects of the dairy situation. pp. 7466-7
15. FOREIGN AID. Sen. Keating stated that among "the many private agencies, organizations, and groups which contribute to our foreign aid effort, one of the most outstanding is the program of the National Council of Catholic Women," and inserted an address on their work, "New Emphases in International Programs." pp. 7472-5
16. PATENTS. Sen. McClellan submitted a report of the Judiciary Committee, "Patents, Trademarks, and Copyrights" (S. Rept. 1481). p. 7468
17. FORESTRY. Sen. Kefauver submitted an amendment, for himself and Sens. Gore, Ervin, and Jordan, to S. 3136, the Federal-aid highway bill, to authorize an appropriation for a road in the Cherokee National Forest and the Nantahala National Forest between Tellico Plains, Tenn., and Robbinsville, N. C. pp. 7469-70
18. FEDERAL EXPENDITURES. Sen. Curtis expressed concern over Federal expenditures and inserted "a tabulation supporting my statement that by the end of April the President had in 1962 made 62 requests for more spending and 25 requests for more power." pp. 7476-7
19. RECLAMATION. Sen. Allott urged enactment of legislation for establishment of the Fryingpan-Arkansas project and inserted an editorial endorsing the project. p. 7479

ITEMS IN APPENDIX

20. RECREATION. Extension of remarks of Sen. Neuberger inserting a letter from the Wilderness Society urging that the Oregon Dunes be administered by the Park Service. p. A3425
21. CENTENNIAL. Extension of remarks of Sen. Wiley inserting an address, "Centennial of U. S. Department of Agriculture." p. A3429
22. GRAIN STORAGE. Extension of remarks of Rep. Dole urging a prompt congressional investigation of the USDA and inserting an editorial, "It Depends on What You Call Favoritism." p. A3437
Extension of remarks of Rep. Derounian and Rep. Dwyer criticizing the Department of Agriculture and inserting two articles, "The Estes Case Mysteries: An Investigation Needed," and "No Favors for Estes? -- It Depends on What You Call Favoritism." pp. A3451-2, A3461

23. DAIRY. Extension of remarks of Rep. Wharton and Rep. Short inserting an article, "These Days -- The Dairyman's Battle," criticizing this Department's action in penalizing dairyman Jesse R. Stalker, of Ravena, N. Y. pp. A3438-9, A3442
24. FARM PROGRAM. Extension of remarks of Rep. Dole inserting an article, "Who Is Twisting Image of the Farmer?" pp. A3441-2
25. SURPLUS FOOD. Extension of remarks of Rep. Kearns defending the distribution of surplus food by private relief agencies. pp. A3465-6

BILLS INTRODUCED

26. SCHOOL LUNCH. H. R. 11665, by Rep. Bailey, to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act; to Education and Labor Committee.
27. ORGANIZATION. H. R. 11674, by Rep. Scranton, to establish an Office of Urban Affairs in the Executive Office of the President; to Government Operations Committee.
28. EDUCATION. H. R. 11680, by Rep. Holland, to amend the National Defense Education Act of 1958 in order to provide a program to improve school library resources needed for teaching and learning; to Education and Labor Committee.
29. WILDLIFE. S. 3270, by Sen. Metcalf (for himself and Sen. Hruska), to amend the Migratory Bird Conservation Act in order to provide that the Under Secretaries of the Departments of the Interior, Commerce, and Agriculture shall be members of the Migratory Bird Conservation Commission; to Commerce Committee. Remarks of Sen. Metcalf. p. 7469
30. RECLAMATION. S. 3272, by Sen. Anderson, to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable; to Interior and Insular Affairs Committee. Remarks of author. p. 7469
31. MARKETING. S. 3278, by Sen. Neuberger (for herself and Sen. Morse), to amend the Agricultural Marketing Agreement Act of 1937, as amended; to Agriculture and Forestry Committee.

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COMMITTEE HEARINGS ANNOUNCEMENTS:

May 10: Farm bill, H. Agriculture (exec).

Prohibition on imports of seed screenings, H. Agriculture (Davidson, AMS, to testify).

Interior and related agencies appropriation bill, S. Appropriations (exec).

Establishment of wilderness preservation system, H. Interior.

Outdoor recreation resources bill, S. Interior.

Federal pay bill, H. Civil Service (State and Defense to testify).

Establishment of Commission on Science and Technology, S. Gov't Operations (Staats, BB, to testify).

Establishment of Allegheny Parkway, S. Interior.

IN THE SENATE OF THE UNITED STATES

MAY 9, 1962

Referred to the Committee on Public Works and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. KEFAUVER (for himself, Mr. GORE, Mr. ERVIN, and Mr. JORDAN) to the bill (S. 3136) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, viz: On page 3, beginning with line 10, strike out all through line 12 and insert in lieu thereof the following:

- 1 (8) For public lands highways, \$5,500,000 for the fiscal
- 2 year ending June 30, 1964, of which \$2,500,000 is for a
- 3 highway between Tellico Plains, Tennessee, and Robbins-
- 4 ville, North Carolina, and \$5,500,000 for the fiscal year end-
- 5 ing June 30, 1965, of which \$2,500,000 is for such highway
- 6 between Tellico Plains, Tennessee, and Robbinsville, North
- 7 Carolina.

AMENDMENT

Intended to be proposed by Mr. KEFAUVER (for himself, Mr. GORE, Mr. EAVIN, and Mr. JORDAN) to the bill (S. 3136) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

MAY 9, 1962

Referred to the Committee on Public Works and
ordered to be printed

H. R. 12135

JUNE 14, 1962

A BILL

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

SECTION 1. This Act may be cited as the “Federal-Aid
Highway Act of 1962”.

7 SEC. 2. For the purpose of carrying out the provisions
8 of title 23 of the United States Code the following sums
9 are hereby authorized to be appropriated:

I

1 Federal-aid secondary system and for their extension within
2 urban areas, out of the Highway Trust Fund, \$950,000,000
3 for the fiscal year ending June 30, 1964, and \$975,000,000
4 for the fiscal year ending June 30, 1965. The sums author-
5 ized in this paragraph for each fiscal year shall be available
6 for expenditure as follows:

7 (A) 45 per centum for projects on the Federal-aid
8 primary highway system;

9 (B) 30 per centum for projects on the Federal-aid
10 secondary highway system; and

11 (C) 25 per centum for projects on extensions of
12 the Federal-aid primary and Federal-aid secondary
13 highway systems in urban areas.

14 (2) For forest highways, \$33,000,000 for the fiscal
15 year ending June 30, 1964, and \$33,000,000 for the fiscal
16 year ending June 30, 1965.

17 (3) For forest development roads and trails, and ad-
18 ditional \$10,000,000 for the fiscal year ending June 30,
19 1963, \$70,000,000 for the fiscal year ending June 30, 1964,
20 and \$85,000,000 for the fiscal year ending June 30, 1965.

21 (4) For public lands development roads and trails,
22 \$2,000,000 for the fiscal year ending June 30, 1964, and
23 \$4,000,000 for the fiscal year ending June 30, 1965.

24 (5) For park roads and trails, \$22,000,000 for the

1 fiscal year ending June 30, 1964, and \$25,000,000 for the
2 fiscal year ending June 30, 1965.

3 (6) For parkways, \$16,000,000 for the fiscal year
4 ending June 30, 1964, and \$16,000,000 for the fiscal year
5 ending June 30, 1965.

6 (7) For Indian reservation roads and bridges, \$16,-
7 000,000 for the fiscal year ending June 30, 1964, and
8 \$18,000,000 for the fiscal year ending June 30, 1965.

9 (8) For public lands highways, \$3,000,000 for the
10 fiscal year ending June 30, 1964, and \$3,000,000 for the
11 fiscal year ending June 30, 1965.

12 ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

13 SEC. 3. (a) Chapter 1 of title 23 of the United States
14 Code is amended by adding at the end thereof the following
15 new section:

16 **“§ 133. Relocation assistance**

17 “(a) As used in this section the term ‘eligible person’
18 means any individual, family, business concern (including
19 the operation of a farm) and nonprofit organization to be
20 displaced by construction of a project.

21 “(b) The Secretary prior to his approval of any project
22 under section 106 of this title for right-of-way acquisition or
23 actual construction shall require the State highway depart-
24 ment to give satisfactory assurance that there exists one or

1 more feasible methods (including relocation advisory as-
2 sistance) for the relocation of families displaced by acqui-
3 sition or clearance of rights-of-way for any Federal-aid high-
4 way.

5 “(c) The Secretary shall approve, as a part of the cost
6 of construction of a project on any of the Federal-aid high-
7 way systems, such relocation payments as may be made by
8 a State highway department, or a local public agency act-
9 ing as an agent for the State highway department for this
10 purpose, to eligible persons for their reasonable and neces-
11 sary moving expenses caused by their displacement from
12 real property acquired for such project. However, the
13 Secretary shall not require a State to pay relocation pay-
14 ments where not authorized by State law.

15 “(d) Payments under this section shall be subject to
16 such rules and regulations as may be prescribed by the
17 Secretary, and shall not exceed \$200 in the case of an
18 individual or family, or \$3,000 in the case of a business con-
19 cern (including the operation of a farm) or nonprofit or-
20 ganization. In the case of a business (including the opera-
21 tion of a farm) and in the case of a nonprofit organization,
22 the allowable expenses for transportation under this sub-
23 section shall not exceed the cost of moving 50 miles from the
24 point from which such business or organization is being dis-

1 placed. Such rules and regulations may include provisions
2 authorizing reimbursement for payments made to individuals
3 and families of fixed amounts (not to exceed \$200 in any
4 case) in lieu of their respective reasonable and necessary
5 moving expenses.

6 “(e) This section shall apply only with respect to
7 projects approved under section 106 of this title after the
8 date of enactment of this section.”

9 (b) The analysis of chapter 1 of title 23 of the United
10 States Code is amended by adding at the end thereof the
11 following:

“133. Relocation assistance.”

12 PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

13 SEC. 4. (a) Section 101 of title 23, United States Code,
14 is amended by inserting immediately after the paragraph
15 which begins “The term ‘project agreement’ means”, the
16 following:

17 “The term ‘public lands development roads and trails’
18 means those roads or trails which the Secretary of the In-
19 terior determines are of primary importance for the devel-
20 opment, protection, administration, and utilization of public
21 lands and resources under his control.”

22 (b) Chapter 2 of title 23 of the United States Code is

1 amended by adding at the end thereof the following new
2 section:

3 **“§ 214. Public lands development roads and trails**

4 “(a) Funds available for public lands development roads
5 and trails shall be used to pay the cost of construction and
6 improvement of such roads and trails.

7 “(b) Funds available for public lands development roads
8 and trails shall be available for adjacent vehicular parking
9 areas and for sanitary, water, and fire control facilities.

10 “(c) The Secretary shall approve the location, type,
11 and design of all projects for public lands development roads
12 and trails before any expenditures are made thereon and
13 all construction thereof shall be under the general super-
14 vision of the Secretary.”

15 (c) The analysis of chapter 2 of title 23 is amended by
16 adding at the end thereof the following:

“214. Public lands development roads and trails.”

17 **AVAILABILITY OF FUNDS—OTHER HIGHWAYS**

18 **SEC. 5.** Section 203 of title 23 of the United States Code
19 is amended by inserting immediately before the phrase “park
20 roads and trails”, at each of the two places it appears in such
21 section, the following: “public lands development roads and
22 trails,”.

1 FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN

2. DEFINITIONS AND NOTATION

3 SEC. 6. (a) The last sentence of subsection (c) of sec-
4 tion 103 of title 23, United States Code, is amended to read
5 as follows: "This system may be located both in rural and
6 urban areas, but any extension of the system into urban
7 areas shall be subject to the condition that such extension
8 pass through the urban area or connect with another Federal-
9 aid system within the urban area."

(b) The amendment made by subsection (a) of this section shall apply to apportionments made before as well as after the date of enactment of this Act.

13 TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

SEC. 7. (a) Chapter 1 of title 23, United States Code,
is amended by adding immediately following section 133 the
following new section:

17 “§ 134. Transportation planning in certain urban areas

18 “It is declared to be in the national interest to encourage
19 and promote the development of transportation systems,
20 embracing various modes of transport in a manner that will
21 serve the States and local communities efficiently and effec-
22 tively. To accomplish this objective the Secretary shall
23 cooperate with the States, as authorized in this title, in the

1 development of long-range highway plans and programs
2 which are properly coordinated with plans for improvements
3 in other affected forms of transportation and which are for-
4 mulated with due consideration to their probable effect on
5 the future development of urban areas of more than fifty
6 thousand population. After July 1, 1965, the Secretary
7 shall not approve under section 105 of this title any program
8 for projects in any urban area of more than fifty thousand
9 population unless he finds that such projects are based on a
10 continuing comprehensive transportation planning process
11 carried on cooperatively by States and local communities in
12 conformance with the objectives stated in this section.”

13 (b) The analysis of chapter 1 of title 23, United States
14 Code, is amended by adding at the end thereof the following:

“134. Transportation planning in certain urban areas.”

15 RURAL DELIVERY AND STAR ROUTE MILEAGE

16 SEC. 8. (a) Subsection (b) (1) of section 104 of title
17 23 of the United States Code is amended by striking out
18 “preceding fiscal year” and inserting in lieu thereof “pre-
19 ceding calendar year”.

20 (b) The amendment made by subsection (a) of this sec-
21 tion shall be applicable only with respect to apportionments
22 made after the date of enactment of this Act.

HIGHWAY PLANNING AND RESEARCH FUNDS

SEC. 9. Subsection (c) of section 307 of title 23 of the United States Code is amended by inserting “(1)” immediately after “(c)”, by striking out “any year” and inserting in lieu thereof “each fiscal year prior to the fiscal year 1964”, and by adding at the end thereof the following:

“(2) One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.

“(3) In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraphs (1), (2), and (3) of section 104 (b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection.

“(4) Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

“(5) Any sums made available under paragraph (2) of this subsection to a State which are not expended at the end of the period of two years after the close of the fiscal year for which such sums are authorized, may, notwithstanding section 118 of this title, be used by the Secretary for highway planning and research purposes. Such sums shall be in addition to those authorized for research under subsections (a) and (b) of this section.”

9 DEFINITIONS

SEC. 10. For the purposes of section 2 of this Act each
of the following terms shall have the same meaning as is
given it in section 101 of title 23 of the United States Code :

- 13 (1) Forest development roads and trails;
- 14 (2) Forest highway;
- 15 (3) Indian reservation roads and bridges;
- 16 (4) Park roads and trails;
- 17 (5) Parkway;
- 18 (6) Public lands highways;
- 19 (7) Federal-aid primary system;
- 20 (8) Federal-aid secondary system;
- 21 (9) Urban area;
- 22 (10) Public lands development roads and trails.

87TH CONGRESS
2^D SESSION

H. R. 12135

A BILL

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

By Mr. FALLON

JUNE 14, 1962

Referred to the Committee on Public Works

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued June 20, 1962
For actions of June 19, 1962
87th-2d, No. 100

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HIGHLIGHTS: House passed sugar bill. House began debate on farm bill. Sen. Morse endorsed bill to revise school lunch apportionment formula.

HOUSE

1. SUGAR. Passed, 319-72, without amendment H. R. 12154, to amend and extend the Sugar Act. (See Digest 99 for a summary of the bill.) pp. 10145-6
2. FARM PROGRAM. Began debate on H. R. 11222, the proposed Food and Agriculture Act of 1962. pp. 10146-86.
3. FARM LOANS. Rep. Beckworth stated that he had "tried to obtain information as to the percentage of people who actually farm who receive loans," and inserted correspondence and tables from various sources in regard to these loans. pp. 10192-200
4. CONTRACTS. The Banking and Currency Committee reported with amendments H. R. 11500, to extend the Defense Production Act of 1950, as amended (H. Rept. 1839). p. 10203
5. ROADS. The "Daily Digest" states that the Public Works Committee "Met in executive session and ordered reported favorably to the House H. R. 12135 (amended), the Federal-Aid Highway Act of 1962." p. D490

SENATE

6. FARM LABOR. Sen. Williams, N. J., expressed concern over economic conditions of migratory farm workers and commended a new Calif. health program for farm workers. pp. 10220-1
7. SCHOOL LUNCH. Sen. Morse urged enactment of H. R. 11665 and S. 2442, to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act, stating that under the recommendations of this Department Oregon's share of the funds would rise from \$893,000 to \$916,000. p. 10266
8. ESTES INVESTIGATION. Sen. Tower expressed confidence that the combined leadership of Sens. McClellan and Mundt in the Estes inquiry "will assure its thoroughness and competence," and inserted an article commending them. pp. 10210-1
9. INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1963. Sen Dworshak was appointed an additional conferee on this bill, H. R. 10802. p. 10208
10. EDUCATION. Sen. Ervin commended the land-grant colleges and universities on their 100th anniversary and inserted an article by Dr. John T. Caldwell, chancellor of North Carolina State College, on the origin and accomplishments of the land-grant colleges. pp. 10211-3
11. EMPLOYMENT. Sen. Javits criticized the President's Committee on Equal Employment Opportunity as "reportedly suffering from a conflict of philosophies and a conflict of personalities," and inserted an article on the matter. pp. 10215-6
12. FORESTRY. Sen. Gruening inserted an article quoting the regional forester for the Tongass National Forest in Alaska as predicting that recreation would compete strongly with timber as one of Alaska's chief resources in the future. pp. 10218-9
13. COMMUNICATIONS. Continued debate on H. R. 11040, to provide for the establishment of a commercial communications satellite system. pp. 10223-57
14. ECONOMICS. Sen. Curtis criticized the President's recent speech at Yale, stating that it "in effect, rewrote the principles of economics," and inserted an editorial criticizing the speech, "Leftward Ho." p. 10261
15. ELECTRIFICATION. Sen. Morse inserted an article from the Northwest Ruralite on the furnishing of electric power to the Maritime Administration's Astoria Reserve Fleet by the West Oregon Electric Cooperative. p. 10266
16. LEGISLATIVE PROGRAM. Sen. Mansfield announced that possibly the latter part of this week bills would be considered to extend the Defense Production Act and to continue the authority for regulation of exports. p. 10260

ITEMS IN APPENDIX

17. SUGAR. Speech in the House of Rep. Roosevelt urging the enactment of H. R. 11706, to provide for the establishment of fair and reasonable minimum wage rates for workers employed on sugar farms. pp. A 4575-6
Speech in House of Rep. Anderson, Ill., urging that a provision be inserted in the sugar bill "that in exchange for the receipt of a sugar allocation, a foreign producer would agree that dollar credits be used for the purchase of some of our surplus agricultural commodities." p. A4607

House *June 28, 1962*

14. SUGAR. Sen. Carroll commended the sugar program and paid tribute to former Sen. Costigan for his efforts in the enactment of the original sugar legislation. pp. 11298-9
15. MEAT INSPECTION. Both Houses received from this Department proposed legislation to extend the provisions of the Meat Inspection Act to certain classes of establishments not now subject to the Act; to H. and S. Agriculture Committees. pp. 11291, 11288
16. INSPECTION; RESEARCH. The Foreign Relations Committee reported with amendment H. R. 8982, to authorize construction of a bridge across the Rio Grande at or near Heath Crossing, Tex. (S. Rept. 1668), and with amendments H. R. 9883, to authorize construction of a toll bridge across the Rio Grande near Los Indios, Tex. (S. Rept. 1669). p. 11291
17. LAND-GRANT COLLEGES. Sens. Long (Hawaii), Carlson, and Miller commended the work of the land-grant colleges on their 100th anniversary. pp. 11299, 11322-3, 11359
18. CONSUMER PRICE INDEX. Sen. Humphrey inserted an article on the consumer price index, "Price Index Steady After 3-Month Rise." pp. 11300-01
19. EXPORT CONTROL. Both Houses received the conference report on S. 3161, to provide for continuation of authority for regulation of exports (H. Rept. 1949) (pp. 11238-9, 11288, 11347). By a vote of 44 to 33, agreed to a motion by Sen. Keating to recommit the bill to the conference committee for further consideration, pp. 11347-53).
20. FISCAL CONDITIONS. Sen. Byrd, Va., inserted his statement on the financial condition of the Federal Government. pp. 11334-7
21. LEGISLATIVE PROGRAM. Sen. Humphrey announced that S. 2560, to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, will be considered on Fri., and that there would be a session on Sat. to consider the sugar bill if the conference committee completes its work on the bill. p. 11353

HOUSE

22. FOREIGN TRADE. By a vote of 299 to 125, passed as reported H. R. 11970, the proposed Trade Expansion Act of 1962 (pp. 11141-238, 11245-50, 11253-72, 11282, 11283-4). Earlier, by a vote of 171 to 253, rejected a motion by Rep. Mason to recommit the bill (11237-8). See Digest 101 for a summary of the provisions of this bill.
23. SUGAR. Conferees were appointed on H. R. 12154, to amend and extend the provisions of the Sugar Act of 1948, as amended. pp. 11238, 11278
24. TOBACCO. The Agriculture Committee reported with amendment S. J. Res. 201, to extend the time by which a lease transferring a tobacco acreage allotment may be filed (H. Rept. 1952). p. 11288
25. FARM LABOR. The Education and Labor Committee voted to report (but did not actually report) S. 1124, to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children, and S. 1132, with amendment, to provide for the establishment of a National Advisory Council on Migratory Labor. p. D534

26. PERSONNEL. Rep. Beckworth inserted several letters pertaining to the use of assembled and unassembled examinations and boards of U. S. Civil Service Examiners by the agencies. pp. 11273-7
27. EDUCATION. The Education and Labor Committee voted to report (but did not actually report) H. R. 12070, to provide assistance in the field of special education to institutions of higher learning, and to the States. p. D534
Rep. Wilson, Calif., commended the centennial of the land-grant colleges and said, "I am confident our land-grant institutions will continue to be a credit to our country." p. 11278
Rep. McDowell discussed the centennial of the Morrill Land-Grant College Act and said, "more than any other single measure, this act has shaped significantly the educational and, perhaps, the economic development of our Nation." pp. 11284-6
28. SURPLUS PROPERTY. The Government Operations Committee issued a report on evaluation of the donable surplus property program (H. Rept. 1943). p. 11288
29. FOREIGN AFFAIRS. The Foreign Affairs Committee issued a report of the Special Study Mission to the Far East, South Asia, and the Middle East (H. Rept. 1946). p. 11288
30. APPROPRIATIONS. Received from the President an amendment to the budget for fiscal 1963 involving an increase of \$382,000 for the civil functions of the Department of the Army (H. Doc. 463). p. 11288
31. ROADS. The Public Works Committee reported with amendments H. R. 12135, the proposed Federal-Aid Highway Act of 1962 (H. Rept. 1948). p. 11288
32. SOIL BANK. The Agriculture Committee reported without amendment S. 3062, to amend the Soil Bank Act to make permanent the existing provision of law authorizing the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage in certain disaster areas (H. Rept. 1961). p. 11288
33. SAFETY. The Education and Labor Committee voted to report (but did not actually report) H. R. 12306, the proposed Occupational Safety Act of 1962. p. D534
34. LEGISLATIVE PROGRAM. Rep. Albert announced that the conference report on S. 3161 to extend the Export Control Act, will be considered on Fri., and the conference report on H. R. 12154, to extend the Sugar Act, will be considered on Sat. if reported by the conference committee. p. 11244

ITEMS IN APPENDIX

35. TOBACCO. Extension of remarks of Rep. Evins inserting an article, "Cigarette Taxes: Enough Money to Pay for U. S. Space Program," and stating that tobacco is now one of the principal sources of public revenue for all levels of government. p. A4924
36. PEACE CORPS. Extension of remarks of Rep. Flood inserting an article, "Peace Corps Thrives In First Year Abroad--Nations Ask More As 1,000th Recruit Heads Overseas." pp. A4925-7
Extension of remarks of Sen. Kerr inserting an address by Director Shriver on the operations and programs of the Peace Corps. pp. A4933-5
37. WATER RESOURCES. Extension of remarks of Rep. Weaver inserting the report of the projects committee to the 49th convention of the National Rivers and Harbors Congress. pp. A4927-9

FEDERAL-AID HIGHWAY ACT OF 1962

JUNE 28, 1962.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FALLON, from the Committee on Public Works, submitted the following

REPORT

together with

SUPPLEMENTAL AND ADDITIONAL VIEWS

[To accompany H.R. 12135]

The Committee on Public Works, to whom was referred the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 2, line 17, strike out "and" and insert in lieu thereof "an".

Page 9, line 23, after the period insert a double quotation mark.

Page 10, strike out lines 1 through 8, inclusive.

THE A-B-C HIGHWAY PROGRAM

Section 2 of H.R. 12135 provides for the usual biennial authorizations for fiscal years 1964 and 1965 for the A-B-C Federal-aid highway program, as well as authorizations for these fiscal years for the several classes of Federal domain roads. The committee considers it essential that funds be authorized for these fiscal years for the Federal-aid primary and secondary highway systems and their extensions within urban areas in order that the States may have sufficient time for planning their individual road construction programs, including any financing procedures necessary to provide the required State matching funds under the Federal-aid highway program. Authorization of these funds is necessary in the very near future in order that

timely apportionment may be made of funds authorized for fiscal year 1964.

The Federal Highway Act of 1960 authorized the amount of \$925 million for the A-B-C program for each of the fiscal years 1962 and 1963. Such amount was identical to that authorized for this program for fiscal year 1961. The committee has carefully considered the legislative history of the Federal-Aid Highway Act of 1956, as well as subsequent highway legislation which evidences the intent of the Congress that there should be a progressive increase of \$25 million each year in funds authorized for the A-B-C program until an annual authorization of \$1 billion is reached. While the committee is not unmindful of the recommendation of the President in his February 28, 1961, message on highways (H. Doc. No. 96, 87th Cong., 1st sess.) that authorizations for the A-B-C program be increased at a rate of \$25 million each 2 years until the \$1 billion level is reached, the committee nevertheless feels, after consideration of all testimony received and in view of the history of this matter, that the annual increase of \$25 million provided in H.R. 12135 is desirable and necessary for the continuation of this vital portion of the highway program at appropriate levels to keep it in balance with the accelerated interstate program. Hence, the amount of \$950 million would be authorized for the A-B-C program for fiscal year 1964, and the amount of \$975 million for fiscal year 1965.

The Federal-aid highways which would be aided by this bill extend into every county of the United States. The present extent of the Federal-aid primary system is 224,860 miles, exclusive of Interstate System mileage, of which 205,370 miles are in rural areas and 19,490 miles are in urban areas. The Federal-aid secondary system at this time consists of 601,364 miles, including 587,659 rural miles and 13,705 urban miles. At the present time, therefore, the total mileage of highways covered under the A-B-C program is over 826,000 miles, carrying almost half of the total of all highway traffic in the Nation.

For the A-B-C program, including the program financed from the special funds authorized by section 2(a) of the Federal-Aid Highway Act of 1958, portions have been completed since July 1, 1956, at a total cost of \$9.3 billion. The completed projects include over 134,000 miles of construction contracts, at a total cost of \$8.7 billion, and engineering and right-of-way acquisition totaling \$605 million. On March 31, 1962, A-B-C projects underway or authorized total \$3.4 billion. The work underway included 23,900 miles of construction contracts at a total cost of \$2.9 billion, and engineering and right-of-way acquisition totaling \$463 million.

H.R. 12135 does not provide authorizations for the Interstate System, inasmuch as the Federal-Aid Highway Act of 1961 provided a revised schedule of authorizations for that system through fiscal year 1971. The committee has been informed that 12,387 miles of the Interstate System have now been improved and open to traffic, representing an increase of almost 1,800 miles during the past year. In addition to the sections of the Interstate System open to traffic, 4,451 miles of the Interstate System were under construction on March 31, 1962, and engineering or right-of-way acquisition was underway on 10,887 miles. Thus, some form of work was completed or underway on 68 percent of the 41,000-mile Interstate System.

Under H.R. 12135, as already stated, there would be authorized \$950 million for fiscal year 1964 and \$975 million for fiscal year 1965 for the Federal-aid primary and secondary highway systems and extensions thereof within urban areas in the usual 45-30-25 percentage ratio. Therefore, with the enactment of H.R. 12135, the following amounts will be authorized for fiscal year 1964 and fiscal year 1965.

Authorizations of Federal-aid highway funds for fiscal years 1964 and 1965

System	Fiscal year 1964	Fiscal year 1965
Primary-----	\$427, 500, 000	\$438, 750, 000
Secondary-----	285, 000, 000	292, 500, 000
Urban-----	237, 500, 000	243, 750, 000
Total-----	950, 000, 000	975, 000, 000

These funds would be apportioned among the States in the manner now provided by law, and would be available for expenditure in the same manner as funds for these highways are made available under present law, that is, for 2 years after the close of the fiscal year for which such funds are authorized.

Existing law providing authorizations for the Interstate System would make available the sum of \$2.6 billion for fiscal year 1964 and \$2.7 billion for fiscal year 1965. The approximate amounts which will be apportioned to each State for fiscal years 1964 and 1965 for the A-B-C program pursuant to H.R. 12135 and for the Interstate System under present authorizations are shown in the following tabulations.

Approximate apportionments of Federal-aid highway funds, fiscal year 1964

[Thousands of dollars]

State	Pursuant to H.R. 12135				Interstate (\$2,600,000)	Total (\$3,550,000)
	Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)		
Alabama.....	\$8,178	\$6,244	\$3,188	\$17,610	\$53,635	\$71,245
Alaska.....	22,696	15,233	156	38,085		38,085
Arizona.....	6,337	4,111	1,773	12,221	36,407	48,628
Arkansas.....	6,087	4,847	1,292	12,226	27,138	39,364
California.....	21,862	10,154	25,672	57,688	247,918	305,606
Colorado.....	7,105	4,609	2,415	14,129	34,379	48,508
Connecticut.....	2,992	1,622	4,581	9,195	36,613	45,808
Delaware.....	2,111	1,407	544	4,062	9,654	13,716
Florida.....	7,849	4,863	6,669	19,381	53,789	73,170
Georgia.....	10,473	7,909	3,843	22,225	47,781	70,006
Hawaii.....	2,111	1,407	880	4,398	20,360	24,758
Idaho.....	4,726	3,392	501	8,619	12,170	20,789
Illinois.....	15,933	8,727	15,229	39,889	135,256	175,145
Indiana.....	9,696	7,009	5,322	22,027	64,213	86,240
Iowa.....	9,619	7,162	2,535	19,316	32,813	52,129
Kansas.....	9,561	6,676	2,327	18,564	20,103	38,667
Kentucky.....	6,944	5,888	2,368	15,200	52,890	68,090
Louisiana.....	6,353	4,570	3,712	14,635	74,894	89,529
Maine.....	3,138	2,384	865	6,327	12,247	18,574
Maryland.....	4,192	2,628	4,288	11,108	47,499	58,607
Massachusetts.....	5,382	2,380	8,184	15,946	55,561	71,507
Michigan.....	13,179	8,277	10,755	32,211	101,031	133,242
Minnesota.....	10,726	7,560	3,888	22,174	67,063	89,237
Mississippi.....	6,626	5,567	1,393	13,586	31,503	45,089
Missouri.....	11,306	7,740	5,270	24,316	66,318	90,634
Montana.....	7,821	5,426	543	13,790	24,263	38,053
Nebraska.....	7,688	5,478	1,368	14,534	15,148	29,682
Nevada.....	4,846	3,223	358	8,427	13,069	21,496
New Hampshire.....	2,111	1,407	627	4,145	11,631	15,776
New Jersey.....	5,968	2,049	10,191	18,208	67,602	85,810
New Mexico.....	6,606	4,457	1,147	12,210	25,880	38,090
New York.....	19,292	8,412	27,316	55,020	122,855	177,875
North Carolina.....	9,971	8,914	3,111	21,996	21,208	43,204
North Dakota.....	5,411	3,965	417	9,793	11,451	21,244
Ohio.....	14,660	9,138	13,402	37,200	176,952	214,152
Oklahoma.....	8,523	5,932	2,616	17,071	31,195	48,266
Oregon.....	6,546	4,575	1,982	13,103	45,034	58,137
Pennsylvania.....	15,690	10,062	15,094	40,846	115,974	156,820
Rhode Island.....	2,111	1,407	1,426	4,944	9,551	14,495
South Carolina.....	5,407	4,724	1,699	11,830	22,389	34,219
South Dakota.....	5,952	4,306	431	10,689	17,023	27,712
Tennessee.....	8,277	6,536	3,378	18,191	65,343	83,534
Texas.....	25,851	16,337	13,180	55,368	117,309	172,677
Utah.....	4,635	3,007	1,237	8,879	37,537	46,416
Vermont.....	2,111	1,407	330	3,848	17,895	21,743
Virginia.....	8,031	6,269	4,112	18,412	78,797	97,209
Washington.....	6,780	4,582	3,548	14,910	54,046	68,956
West Virginia.....	4,163	3,742	1,248	9,153	39,026	48,179
Wisconsin.....	9,485	6,691	4,589	20,765	22,928	43,693
Wyoming.....	4,816	3,277	250	8,373	24,879	33,252
District of Columbia.....	2,111	1,407	1,489	5,007	37,280	42,287
Puerto Rico.....	2,111	2,342	1,822	6,275		6,275

Approximate apportionments of Federal-aid highway funds, fiscal year 1965

[Thousands of dollars]

State	Pursuant to H. R. 12135				Interstate (\$2,700,000)	Total (\$3,675,000)
	Primary (\$438,750)	Secondary (\$292,500)	Urban (\$243,750)	Subtotal (\$975,000)		
Alabama.....	\$8,393	\$6,408	\$3,272	\$18,073	\$55,698	\$73,771
Alaska.....	23,294	15,634	160	39,088	-----	39,088
Arizona.....	6,504	4,219	1,820	12,543	37,807	50,350
Arkansas.....	6,248	4,975	1,326	12,549	28,182	40,731
California.....	22,437	10,421	26,348	59,206	257,453	316,659
Colorado.....	7,292	4,731	2,478	14,501	35,701	50,202
Connecticut.....	3,071	1,664	4,702	9,437	38,021	47,458
Delaware.....	2,166	1,444	559	4,169	10,025	14,194
Florida.....	8,056	4,991	6,844	19,891	55,858	75,749
Georgia.....	10,749	8,117	3,944	22,810	49,619	72,429
Hawaii.....	2,166	1,444	903	4,513	21,143	25,656
Idaho.....	4,851	3,481	515	8,847	12,638	21,485
Illinois.....	16,352	8,956	15,630	40,938	140,458	181,396
Indiana.....	9,951	7,193	5,462	22,606	66,683	89,289
Iowa.....	9,872	7,351	2,602	19,825	34,075	53,900
Kansas.....	9,812	6,852	2,388	19,052	20,877	39,929
Kentucky.....	7,127	6,043	2,430	15,600	54,925	70,525
Louisiana.....	6,520	4,690	3,810	15,020	77,775	92,795
Maine.....	3,221	2,447	826	6,494	12,718	19,212
Maryland.....	4,302	2,697	4,401	11,400	49,326	60,726
Massachusetts.....	5,523	2,443	8,399	16,365	57,698	74,063
Michigan.....	13,526	8,494	11,038	33,058	104,917	137,975
Minnesota.....	11,008	7,759	3,990	22,757	69,642	92,399
Mississippi.....	6,800	5,714	1,430	13,944	32,715	46,659
Missouri.....	11,604	7,944	5,409	24,957	68,869	93,826
Montana.....	8,027	5,569	557	14,153	25,196	39,349
Nebraska.....	7,890	5,622	1,404	14,916	15,731	30,647
Nevada.....	4,973	3,308	367	8,648	13,571	22,219
New Hampshire.....	2,166	1,444	644	4,254	12,078	16,332
New Jersey.....	6,125	2,103	10,459	18,687	70,202	88,889
New Mexico.....	6,780	4,574	1,177	12,531	26,876	39,407
New York.....	19,800	8,634	28,034	56,468	127,580	184,048
North Carolina.....	10,234	9,148	3,193	22,575	22,023	44,598
North Dakota.....	5,554	4,069	428	10,051	11,891	21,942
Ohio.....	15,045	9,379	13,755	38,179	183,753	221,937
Oklahoma.....	8,748	6,088	2,685	17,521	32,395	49,916
Oregon.....	6,718	4,695	2,034	13,447	46,766	60,213
Pennsylvania.....	16,103	10,327	15,492	41,922	120,434	162,356
Rhode Island.....	2,166	1,444	1,464	5,074	9,918	14,992
South Carolina.....	5,549	4,849	1,743	12,141	23,250	35,391
South Dakota.....	6,109	4,420	443	10,972	17,677	28,649
Tennessee.....	8,495	6,708	3,467	18,670	67,856	86,526
Texas.....	26,532	16,767	13,527	56,826	121,821	178,647
Utah.....	4,758	3,086	1,270	9,114	38,981	48,095
Vermont.....	2,166	1,444	338	3,948	18,584	22,532
Virginia.....	8,243	6,434	4,220	18,897	81,827	100,724
Washington.....	6,959	4,703	3,641	15,303	56,125	71,428
West Virginia.....	4,273	3,840	1,281	9,394	40,527	49,921
Wisconsin.....	9,734	6,867	4,709	21,310	23,810	45,120
Wyoming.....	4,942	3,363	287	8,592	25,826	34,422
District of Columbia.....	2,166	1,444	1,528	5,138	38,714	43,852
Puerto Rico.....	2,166	2,403	1,870	6,439	-----	6,439

FOREST HIGHWAYS

H.R. 12135 would authorize the sum of \$33 million for forest highways for each of the fiscal years 1964 and 1965. Such amounts are identical to those previously authorized under the Federal Highway Act of 1960 for fiscal years 1962 and 1963, and are necessary for the continuation of the forest highway program.

FOREST DEVELOPMENT ROADS AND TRAILS

For "Forest development roads and trails," which are under the jurisdiction of the Department of Agriculture, the committee has allowed the full request made by the President, an additional \$10

million for fiscal year 1963 to bring the total authorization to \$50 million; \$70 million for 1964 and \$85 million for 1965 as compared to the present level of \$40 million.

In 1959 the program for the national forests was submitted to the Congress. In 1960 when the authorizations for the fiscal years 1962 and 1963 were written in the last Congress, it was this committee which took the leadership and set the present level of authorization, an increase of \$15 million over the previous biennium. Review by the committee has established the soundness of this decision.

For example, national forest use for recreation purposes has risen from approximately 27 million visits in 1950 to over 100 million in 1961, and continues to grow.

The demand for national forest timber remains high and is growing in importance to the forest products industry. Acceleration in the road program is vital to servicing the need to provide for an orderly harvest of this timber at proper conservation standards.

President Kennedy in his first message on resources advised the Congress that this program was under review and in September 1961 he submitted a revised development program for the national forests which covers the period from fiscal year 1963 through 1972.

The President stated that the revised program was designed to recognize two basic factors which called for acceleration of the previously planned road program. Recreation resource management must be substantially broadened and intensified and there must be an acceleration of timber management and harvesting.

The testimony before the committee fully justifies substantial increases.

Funds invested in forest development roads are returned to the Treasury through revenues from national forest activities, particularly timber harvesting. These roads form a basis for industrial and commercial activity vital to the communities within and adjacent to the national forests in 39 States and the Commonwealth of Puerto Rico.

By the year 2000 the proper level of operations on the national forests will provide direct private enterprise employment to close to 1.5 million workers across the Nation and especially in a number of areas which have been characterized as experiencing relatively low income or actually designated as meeting labor surplus criteria.

When the program is completed national forest direct revenues will have increased to \$230 million annually while the economic benefit to the economy will be substantially in excess of \$6 billion annually.

The 10-year program for the national forests contemplates a total investment of approximately \$2.5 billion of which \$1.7 billion is accounted for by roads and trails. The multiple-purpose roads to be constructed by appropriations will total \$1.2 billion and will add 79,400 miles of road plus 8,000 miles of trail.

The road development program contemplates an investment of appropriated funds which will average \$120 million annually over the decade. The increase allowed by the committee moves the authorization toward this goal in a responsible manner.

Because further increases will be required in future years to fulfill the planned program as scheduled the committee believes that the Department must keep this program under very careful review. The size of expenditures contemplated will require a constant search for

possible savings. Road standards, design, engineering, contracting and construction operations, and supervision should be studied to assure that every opportunity for improvement is quickly adopted.

Special care must be taken to construct all roads to a standard and on a location which will serve present and future national forest uses at the lowest net cost for construction, maintenance, and vehicle use.

Estimates for the year 2000 indicate that the present road system of 179,200 miles plus 106,500 miles of trail will grow to a system with 542,250 miles of road but only 80,000 miles of trails. The 186 million acres in the national forest system by then will have to be operated at a high level of conservation for it is estimated that our population will then be over 350 million people. Recreational use will climb to over six times today's level. The timber produced from the approximately 90 million acres of commercial timber land in the national forests will double—to over 21 billion board feet annually.

Today the national forests supply high quality water to 1,800 towns and cities in the West including some of our great and growing metropolitan areas. Irrigation use and outdoor recreation associated with the 3 million acres of lakes and 81,000 miles of streams in the national forest will continue to grow. By 1975 alone it is estimated that our use of water will double and by the year 2000 it will be necessary to derive at least 200 million acre-feet of water from national forests watersheds.

Multiple-use considerations will require the concentration of road construction on those parts of the national forests where use possibilities for timber, recreation, and other intensive developments produce the best combination of benefits.

Roads are a first line of defense against fire. A careful study supplied to the Committee on Appropriations shows that despite the increased opportunity to use aircraft, roads and trails continue to be of prime importance for resource protection.

Despite many improvements the total cost of fire control alone on the national forests in 1960 totaled \$56 million. Fire damaged or destroyed the resources on 424,000 acres with losses totaling \$46 million. The total 1960 cost for control and damage, \$100 million, conclusively shows adequate roads will measurably benefit the reduction of fire costs and losses.

It is an inescapable fact that a modern society's natural resources can be properly managed only by wisely providing roads available in time to meet emergent needs. About 68 percent of the capital investment contemplated by the development program for the national forests is for roads and trails and thus a responsibility of this committee.

Recognizing that we, as a people, pay for roads, whether we have them or not—and we pay more for them if we do not have them than if we do—the recommendations made by the President and his Secretary of Agriculture have been approved.

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

Section 4 of H.R. 12135 contains a substantive addition to title 23, United States Code, providing for a new category of Federal domain roads to be known as public lands development roads and trails.

Specifically, section 4 of the bill would add a new section, section 214, to title 23 somewhat similar to the existing provisions regarding other Federal domain roads. The Secretary of Commerce would have the responsibility of approving the location, type and design of all projects for these roads and their construction would be under the general supervision of the Department of Commerce. The bill would authorize \$2 million for fiscal year 1964 and \$4 million for fiscal year 1965 for this new category of Federal domain roads.

The committee has received testimony as to the need for setting up in the law requirements and authorizations for these roads. The Bureau of Land Management of the Department of the Interior administers more than 157 million acres of public forest land in the Western United States and Alaska, of which approximately 44 million acres are classed as commercial forest land supporting a stand volume in excess of 204 billion board feet. Additionally, 178 million acres of public rangelands in the Western United States, and an estimated 100 million acres of usable livestock and big game range in Alaska must be managed, protected, and developed. Access roads are essential to the management of these lands. Recreational use of these lands by the public further emphasizes the critical need for adequate roads.

Heretofore it has been the practice to construct most of BLM roads in forested areas under timber sale contract requirements. While these roads may serve their primary purpose, in most instances they are not adequate for the expanded use now placed on them.

Inclusion of road needs of the Bureau of Land Management within this highway legislation will provide needed support for the public land resource program insofar as roads are concerned and will afford a basis for timely and orderly development of these roads.

ROADS AND TRAILS IN NATIONAL PARKS

H.R. 12135 contains provision for roads and trails in national parks. The sums which would be authorized for these purposes would be \$22 million for fiscal year 1964 and \$25 million for fiscal year 1965. These sums represent an increase over amounts previously authorized by the Federal Highway Act of 1960 for this class of highway. The 1960 act provided the sum of \$18 million for each of fiscal years 1962 and 1963 for national park roads and trails.

PARKWAYS

H.R. 12135 authorizes the sum of \$16 million for each of the fiscal years 1964 and 1965 for parkways under the jurisdiction of the National Park Service of the Department of the Interior. This represents an increase of \$2 million for each of these years over sums authorized for fiscal years 1962 and 1963 for this class of highway.

INDIAN RESERVATION ROADS

The bill authorizes \$16 million for fiscal year 1964 and \$18 million for fiscal year 1965 for Indian reservation roads and bridges. For these roads, the Federal Highway Act of 1960 provided \$12 million for each of the fiscal years 1962 and 1963.

PUBLIC LANDS HIGHWAYS

H.R. 12135 authorizes the sum of \$3 million for each of the fiscal years 1964 and 1965 for public lands highways, the same amount as authorized by the Federal Highway Act of 1960 for fiscal year 1963. These amounts are considered essential to meet the most pressing of the numerous requests for funds to improve these highways, the great majority of which are already on the Federal-aid highway system.

PUBLIC DOMAIN ROAD FINANCING

As under existing law, all of the appropriations for the so-called public domain roads authorized by this bill will be made from the general funds of the Treasury.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

Section 3 of H.R. 12135 would add a new section to title 23, United States Code, section 133, entitled "Relocation Assistance."

It provides that before the Secretary of Commerce may authorize the acquisition of right-of-way or actual construction of a project, he will require satisfactory assurance from the State highway department that there is one or more feasible methods to aid families displaced by the project in obtaining replacement housing. Also, it directs the Secretary to approve as part of the cost of construction of projects payments made by State highway departments or their agents to displaced individuals, families, business concerns (including the operation of a farm) and nonprofit organizations for their reasonable and necessary moving expenses.

The section leaves it to each State to determine whether or not to make relocation payments. However, where a State highway department or local public agency, acting as its agent for the purpose, makes relocation payments to eligible persons, Federal aid participation will be permitted subject to rules and regulations prescribed by the Secretary.

In the case of an individual or family so much of the relocation payment as does not exceed \$200 shall be eligible for Federal aid participation although the Secretary may authorize the payment of fixed amounts within the ceiling in lieu of actual reasonable and necessary moving expenses (i.e., so much per room, etc.).

In the case of a business concern (including the operation of a farm) or a nonprofit organization, so much of the relocation payment as does not exceed \$3,000 shall be eligible for Federal aid participation and the allowable expenses for transportation may not exceed the cost of moving 50 miles.

The section will not prevent a State from making larger payments, without Federal aid participation in any portion of a payment exceeding the prescribed limits.

This committee has given extended thought to the matter of relocation assistance for persons displaced by Federal-aid highway construction.

Last year in his message to the Congress on the Federal-aid highway program the President urged the enactment of legislation to meet the

problem. In his message of April 5, 1962, relative to the transportation system of this Nation he said:

Last year in a message to the Congress on the Federal-aid highway program, I called attention to the problems of families displaced by new highway construction and proposed that the Federal highway law be amended to require assistance to such families in finding decent housing at reasonable cost. The need for such assistance to alleviate unnecessary hardship is still urgent. The Secretary of Commerce has estimated that, under the interstate highway program alone, 15,000 families and 1,500 businesses are being displaced each year, and the proposed urban mass transportation program will further increase the number of persons affected.

To move toward equity among the various federally assisted programs causing displacement, I recommend that assistance and requirements similar to those now applicable to the urban renewal program be authorized for the Federal-aid highway program and the urban mass transportation program.

In a recent letter expressing appreciation to the Housing and Home Finance Administrator and the Secretary of Commerce for their "Joint Report on Urban Transportation," the President said:

I noted particularly that you concerned yourselves with the human as well as the technical and financial considerations involved. Many thousands of our citizens, as your report states, must unavoidably surrender their homes and places of business to make way for public transportation improvements. We should not expect them to suffer the heavy personal cost of such public benefits without due recompense and assistance. Where public necessity imposes such sacrifices, it should be accompanied by public concern for the people displaced.

The committee has given careful consideration to these recommendations and is in general agreement with the President's objectives.

The committee recognized the importance of the problem several years ago in recommending amendment of the Federal-aid highway laws to permit and encourage early right-of-way acquisition, as much as 7 years in advance of construction (23 U.S.C. 108). Unfortunately, many State highway departments have not availed themselves of this provision which provides an effective means for minimizing relocation problems. The State highway departments are urged to make increased use of this provision.

The committee believes that right-of-way acquisition should, in any event, be scheduled at least 6 months or possibly a year or more in advance of clearing the right-of-way so that wherever possible persons to be displaced will be in a position to find suitable accommodations on their own initiative. Also, effective advisory services should be made available for all displaced persons desiring help in their relocation problems. And especially important, the effects of displacement on families and businesses and on established neighborhoods should be taken into full account in making location decisions.

The administration's proposal for implementing the President's recommendations (sec. 3 of H.R. 11199) describes rather specific

standards of housing for displaced families. The committee is concerned that there be no undue delay in the progress of the highway program and for this reason has afforded the Secretary desirable flexibility in determining, under varying circumstances, the acceptability of a State's plan or plans for handling particular relocation problems.

This section of the bill does not introduce any novel concepts or impose any unique requirements on State highway departments. There is a growing body of State legislative and judicial authority and other informed opinion which recognizes the desirability of relocation payments, help in finding replacement housing and other assistance for persons displaced by highway construction. For example, the California Law Revision Commission, after extended study, has urged legislation to authorize relocation payments and the chief right-of-way agent of the California Division of Highways, in a recent address at the annual meeting of the Highway Research Board, described the policy of his State concerning the displacement problem as follows:

Although procedural requirements have varied from time to time since 1945, the basic policy regarding the relocation of people and homes was enunciated in early 1946 by the Governor of California. It is still strictly followed. This policy is: "No tenant in a residential building will be evicted unless it is established that he has a reasonably comparable place to move, even if it is necessary to delay the freeway construction project."

The committee believes that this section is, as the President has said, "a move toward equity among the various federally assisted programs causing displacement."

Congress has already specifically authorized payment of removal expenses in connection with programs of the Defense and Interior Departments and the Urban Renewal Administration of the HHFA.

Some months ago the committee established a Select Subcommittee on Real Property Acquisition to make an objective and comprehensive study in depth of the broad area of land takings for Federal and federally assisted programs, and the adequacy of payments to affected property owners and tenants. The committee took this action after receiving information from Members of Congress and many other sources that in some instances property owners and tenants may not be adequately paid and in others they may be overpaid, depending on which agency acquires the property, the manner of acquisition, and the program for which the land is acquired. The study is well underway and the problem of relocation assistance is among the serious and complex questions being given close attention. Experience gained by State highway departments and the Department of Commerce with the provisions of this section during the next year will be of great value to the special subcommittee, and the committee is confident that the highway departments and the Department of Commerce will cooperate fully with the subcommittee in providing needed data.

It should be noted that since 1956 one of the costs of construction of a highway project to which the Federal Government has contributed has been the cost of relocation of public utility facilities occupying public rights-of-way. It would seem that extension of the principle

of the payment of costs of relocation to human beings displaced should take no less a priority in the public interest than the payment of costs of utility facility relocation.

The section it is believed establishes a suitable means for carrying out the general objectives of the administration on the subject of relocation without undue interference with the progress of the essential highway program.

FEDERAL-AID SECONDARY HIGHWAY SYSTEM

Section 6 of the bill amends section 103 of title 23, United States Code, to remove the limitation now existing in that section requiring that only urban funds may be used for certain secondary system extensions within urban areas. Under this provision, a State may use funds apportioned to it for the Federal-aid secondary system on extensions of that system which pass through an urban area or connect with another Federal-aid system within such area. This provision is designed to allow increased flexibility in the financing of Federal-aid highway projects in urban areas. The committee has been advised that this provision would be particularly helpful in certain States that contain many individual and grouped urban areas and where, in practice, the transfer of funds from primary or secondary apportionments to the class of urban funds for the purpose of improving extensions of secondary routes within urban areas has not been achievable under the provisions of section 104(c) of title 23, United States Code. This provision would promote an integrated system of improvements in urban areas, particularly in those areas having important feeder routes on the secondary system within their boundaries.

TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

Section 7 of the bill amends title 23, United States Code, to add a new section declaring that the encouragement and promotion of development of transportation systems embracing various modes of transport, in a manner that will serve the States and local communities efficiently and effectively, are in the national interest. The Secretary of Commerce is directed to cooperate with the States in the development of long-range highway plans and programs coordinated with plans for improvements of other affected forms of transportation. This provision is applicable to urban areas of more than 50,000 population. The Secretary of Commerce shall not approve any program after July 1, 1965, for projects in any urban area of more than 50,000 population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and localities.

The committee is very much aware of the transportation problems of urban areas particularly as they relate to highways and feels that the Federal-aid highway legislation should contain a provision designating the Secretary of Commerce as the individual responsible for assuring that highway plans and programs in larger urban areas will be coordinated with plans for improvement in other affected forms of transportation.

This section would encourage transportation planning and improve the quality of urban planning generally. It would not delay the current Federal-aid highway program, inasmuch as reasonable time

would be allowed for the States and local communities to establish the continuing planning process that would be required.

The committee recognizes that transportation planning is almost invariably a continuing process; hence, this section has been drawn in such way as to make it clear that a completed comprehensive plan, as such, is not necessary to meet its requirements. The Secretary may make the required finding, therefore, based on a continuing transportation planning process which conforms with the stated objectives of this section.

The cooperative working arrangements undertaken by the Bureau of Public Roads of the Department of Commerce with the State highway departments in the area of transportation planning will permit the Federal guidance and leadership necessary to achieve the objective of sound and uniform transportation planning in these urban areas.

RURAL DELIVERY AND STAR ROUTE MILEAGE

Section 8 of H.R. 12135 amends section 104 of title 23, United States Code, to provide that the Postmaster General shall certify the mileage of rural delivery and star routes in each State for the purposes of determining apportionments for the Federal-aid primary and secondary systems on a calendar year rather than a fiscal year basis. This amendment is largely technical in nature and would assure that appropriate mileage data are available sufficiently in advance to enable timely apportionment of Federal-aid funds to the States.

HIGHWAY PLANNING AND RESEARCH FUNDS

Section 307 of title 23, United States Code, is amended by section 9 of H.R. 12135, as amended by the committee, to require that the 1½ percent of apportioned Federal-aid A-B-C and interstate funds which the States may now use for highway planning and research shall be used only for these purposes commencing with the apportionment for the fiscal year 1964. In addition, a State, if it so desires, may use an additional one-half of 1 percent of its A-B-C apportionment for highway planning and research purposes. All amounts available and used for highway planning and research purposes would be required to be matched by the States unless the Secretary of Commerce determines that the interest of the Federal-aid highway program would be best served without matching.

The existing law with respect to 1½ percent of the apportionments now available to the State for highway planning and research will continue to apply to funds apportioned for fiscal years prior to the fiscal year 1964.

Section 9 of H.R. 12135, as introduced, would have permitted 1½ percent funds, not used for highway planning and research within the usual period of availability, to have been used by the Secretary of Commerce for these purposes. Under the committee's amendment to section 9, any of the 1½ percent funds, beginning with the apportionment for the fiscal year 1964, not used for highway planning and research within the usual period of availability, would lapse. The committee feels that highway planning and research activities conducted directly by the Secretary of Commerce should be expanded in proportion to the increased highway planning and research activities by the State highway departments and should be financed from sums

made available to him for administration and research under section 104(a) of title 23, United States Code, under the normal budgetary processes which have been followed in the past. Under this amendment, the existing method of financing such activities at the Federal level would be continued.

The additional one-half of 1 percent, if not used for highway planning and research purposes, would be available for use for construction purposes, subject to the usual lapse provisions of section 118 of title 23, United States Code.

The committee holds the view that this provision is necessary in order to stimulate additional needed highway planning and research activities in the Federal-State cooperative area. Testimony has been received as to the need for increased highway planning and research activities, and it is felt that this provision of the bill meets this need by expanding the dollar volume of highway planning and research activities undertaken by or through the State highway departments with the aid of Federal funds.

PRESIDENT'S MESSAGE ON TRANSPORTATION

On April 5, 1962, the President conveyed to the Congress his message on the transportation system of our Nation. This message contained several important recommendations as to the role of highways in our transportation system and for legislation on this subject. On April 6, 1962, the Secretary of Commerce submitted to the Congress a draft of proposed legislation to implement the recommendations of the President concerning Federal-aid legislation. One of these recommendations has already been discussed, that relating to relocation assistance to families and payments to those displaced by Federal-aid highway construction. Others included material covered under sections 6, 7, and 9 of H.R. 12135 relating, respectively, to the use of secondary highway funds on urban extensions of the secondary system, transportation planning in urban areas and highway planning and research. The committee feels that H.R. 12135 meets the objectives of the recommendations set forth in the President's message on transportation as they relate to Federal-aid highways.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This act may be cited as the "Federal-Aid Highway Act of 1962."

Section 2. Authorizations

This section provides for authorizations for projects on the Federal-aid primary system, the Federal-aid secondary system, and extensions of these systems within urban areas in the amounts of \$950 million for the fiscal year ending June 30, 1964, and \$975 million for the fiscal year ending June 30, 1965.

The following sums would be authorized for the fiscal years 1964 and 1965 for the following Federal domain roads:

	1964	1965
Forest highways.....	\$33,000,000	\$33,000,000
Forest development roads and trails (additional \$10,000,000 for 1963).....	70,000,000	85,000,000
Public lands development roads and trails.....	2,000,000	4,000,000
Park roads and trails.....	22,000,000	25,000,000
Parkways.....	16,000,000	16,000,000
Indian reservation roads and bridges.....	16,000,000	18,000,000
Public lands highways.....	3,000,000	3,000,000

Section 3. Assistance for displaced families and businesses

This section adds a new section to title 23, United States Code, section 133, entitled "Relocation Assistance." It defines as an "eligible person" any individual, family, business concern (including the operation of a farm), and nonprofit organizations to be displaced by construction of a Federal-aid project.

State highway departments would be required by the Secretary, prior to his approval of any project for right-of-way acquisition or actual construction, to give satisfactory assurance that there exists one or more feasible methods (including relocation advisory assistance) for the relocation of families displaced by acquisition or clearance of rights-of-way.

Relocation payments made by a State to eligible persons for their reasonable and necessary moving expenses caused by their displacement would be approved by the Secretary as a part of the cost of construction of a project. A State would not be required to make such payments where not authorized by State law. Such relocation payments would be subject to rules and regulations to be prescribed by the Secretary and would not exceed \$200 in the case of an individual or family, or \$3,000 in the case of a business concern or a nonprofit organization. In the latter case, relocation payments would not exceed the cost of moving 50 miles from the point of displacement. This new section 133 would apply only to projects approved under section 106 of title 23 of the United States Code after the date of enactment of such section 133.

Section 4. Public lands development roads and trails

This section amends section 101 of title 23, United States Code, and adds a new section numbered 214, to establish a new program of public lands development roads and trails for the development, protection, administration, and utilization of lands and resources administered by the Bureau of Land Management in the Department of the Interior.

Section 5. Availability of funds—Other highways

This section consists of technical amendments required by the new program of public land development roads and trails established by section 4 of the bill.

Section 6. Federal-aid secondary highway system—Urban areas

This section amends section 103 of title 23, United States Code, to permit the use of Federal-aid secondary funds in urban areas on extensions of the Federal-aid secondary system which pass through the urban area or connect with another Federal-aid system within

the urban area. The limitation in existing law, which requires that urban funds be used for certain secondary system extensions in urban areas, would be removed.

Section 7. Transportation planning in certain urban areas

This section amends title 23 of the United States Code to add a new section, numbered 134. This new section would declare that the encouragement and promotion of the development of transportation systems embracing various modes of transport, in a manner that will serve the States and local communities efficiently and effectively, are in the national interest.

The Secretary would be directed to cooperate with the States in the development of long-range highway plans and programs coordinated with plans for improvements in other affected forms of transportation, which are formulated with consideration to their probable effect on the development of urban areas of more than 50,000 in population. The Secretary shall not approve any program after July 1, 1965, for projects in any such area unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and localities in conformance with the objectives of the section.

Section 8. Rural delivery and star route mileage

This section amends section 104 of title 23, United States Code, to provide that the Postmaster General shall certify rural delivery and star route mileage in each State for purposes of determining apportionments for the Federal primary and secondary systems on a calendar year rather than a fiscal year basis. This amendment would assure that more up-to-date mileage data is available for use in making the apportionment of Federal-aid funds to the States.

Section 9. Highway planning and research funds

This section amends section 307 of title 23, United States Code. As a result of these amendments the existing law with respect to the 1½ percent of the apportionments now available to the States for highway planning and research purposes will continue unchanged until the apportionments for the fiscal year 1964.

Beginning with the apportionment for the fiscal year 1964, 1½ percent of a State's total apportionment can be used only for highway planning and research purposes.

Beginning with the apportionment for the fiscal year 1964, if a State so desires, it can use an additional one-half of 1 percent of its A-B-C apportionment for highway planning and research purposes.

All amounts available for highway planning and research purposes would be required to be matched by the States unless the Secretary determines that the interests of the Federal-aid highway program would be best served without matching.

As a result of the proposed committee amendment, with respect to the apportionments for fiscal years beginning with 1964, the 1½ percent available to the States only for highway planning and research purposes which is not used for those purposes within the usual period of availability will lapse as provided under title 23, United States Code, section 118. The additional one-half of 1 percent if not used for highway planning and research purposes would be available for use for construction purposes, subject to the usual lapse provisions of said section 118.

Section 10. Definitions

This section relates the definitions found in section 101 of title 23, United States Code, to certain terms used in section 2 of H.R. 12135.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

TITLE 23 OF THE UNITED STATES CODE**TITLE 23—HIGHWAYS**

CHAPTER	Sec.
1. FEDERAL AID HIGHWAYS.....	101
2. OTHER HIGHWAYS.....	201
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CHAPTER 1—FEDERAL-AID HIGHWAYS

Sec.
101. Definitions and declaration of policy.
102. Authorizations.
103. Federal-aid systems.
104. Apportionment.
105. Programs.
106. Plans, specifications, and estimates.
107. Acquisition of rights-of-way—Interstate System.
108. Advance acquisition of rights-of-way.
109. Standards.
110. Project agreements.
111. Use of and access to rights-of-way—Interstate System.
112. Letting of contracts.
113. Prevailing rate of wage—Interstate System.
114. Construction.
115. Construction by States in advance of apportionment—Interstate System.
116. Maintenance.
117. Secondary road responsibility.
118. Availability of sums apportioned.
119. Administration of Federal-aid for highways in Alaska. ¹
120. Federal share payable.
121. Payment to States for construction.
122. Payment to States for bond retirement.
123. Relocation of utility facilities.
124. Advances to States.
125. Emergency relief.
126. Diversion.
127. Vehicle weight and width limitations—Interstate System.
128. Public hearings.
129. Toll roads, bridges, tunnels, and ferries.
130. Railway-highway crossings.
131. Areas adjacent to the Interstate System.
132. Payments on Federal-aid projects undertaken by a Federal agency.
133. <i>Relocation assistance.</i>
134. <i>Transportation planning in certain urban areas.</i>

§101. Definitions and declaration of policy

(a) As used in this title, unless the context requires otherwise—

The term “apportionment” in accordance with section 104 of this title includes unexpended apportionments made under prior acts.

¹ Sec. 119 repealed (Public Law 86-70).

The term "construction" means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping (including the establishment of temporary and permanent geodetic markers in accordance with specifications of the Coast and Geodetic Survey in the Department of Commerce), costs of rights-of-way, and elimination of hazards of railway-grade crossings.

The term "county" includes corresponding units of government under any other name in States which do not have county organizations, and likewise in those States in which the county government does not have jurisdiction over highways it may be construed to mean any local government unit vested with jurisdiction over local highways.

The term "forest road or trail" means a road or trail wholly or partly within or adjacent to and serving the national forests.

The term "forest development roads and trails" means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forests, or where necessary, for the use and development of the resources upon which communities within or adjacent to the national forests are dependent.

The term "forest highway" means a forest road which is of primary importance to the States, counties, or communities within, adjoining, or adjacent to the national forests.

The term "highway" includes roads, streets, and parkways, and also includes rights-of-way, bridges, railroad-highway crossings, tunnels, drainage structures, signs, guardrails, and protective structures, in connection with highways. It further includes that portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State highway department including such facilities as may be required by the United States Customs and Immigration Services in connection with the operation of an international bridge or tunnel.

The term "Federal-aid highways" means highways located on one of the Federal-aid systems described in section 103 of this title.

The term "Indian reservation roads and bridges" means roads and bridges that are located within an Indian reservation or that provide access to an Indian reservation or Indian land, and that are jointly designated by the Secretary of the Interior and the Secretary as a part of the Indian Bureau road system.

The term "maintenance" means the preservation of the entire highway, including surface, shoulders, roadsides, structures, and such traffic-control devices as are necessary for its safe and efficient utilization.

The term "park roads and trails" means those roads or trails, including the necessary bridges, located in national parks or monuments, now or hereafter established, or in other areas administered by the National Park Service of the Department of the Interior (excluding parkways authorized by Acts of Congress) and also including approach roads to national parks or monuments authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended.

The term "parkway" as used in chapter 2 of this title, means a parkway authorized by an Act of Congress on lands to which title is vested in the United States.

The term "project" means an undertaking to construct a particular portion of a highway, or if the context so implies, the particular portion of a highway so constructed.

The term "project agreement" means the formal instrument to be executed by the State highway department and the Secretary as required by the provisions of subsection (a) of section 110 of this title.

The term "public lands development roads and trails" means those roads or trails which the Secretary of the Interior determines are of primary importance for the development, protection, administration, and utilization of public lands and resources under his control.

The term "public lands highways" means main highways through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations.

The term "rural areas" means all areas of a State not included in urban areas.

The term "Secretary" means Secretary of Commerce.

The term "State" means any one of the fifty States, the District of Columbia, or Puerto Rico.

The term "State funds" includes funds raised under the authority of the State or any political or other subdivision thereof, and made available for expenditure under the direct control of the State highway department.

The term "State highway department" means that department, commission, board, or official of any State charged by its laws with the responsibility for highway construction.

The term "Federal-aid system" means any one of the Federal-aid highway systems described in section 103 of this title.

The term "Federal-aid primary system" means the Federal-aid highway system described in subsection (b) of section 103 of this title.

The term "Federal-aid secondary system" means the Federal-aid highway system described in subsection (c) of section 103 of this title.

The term "Interstate System" means the National System of Interstate and Defense Highways described in subsection (d) of section 103 of this title.

The term "urban area" means an area including and adjacent to a municipality or other urban place having a population of five thousand or more, as determined by the latest available Federal census, within boundaries to be fixed by a State highway department subject to the approval of the Secretary.

(b) It is hereby declared to be in the national interest to accelerate the construction of the Federal-aid highway systems, including the National System of Interstate and Defense Highways, since many of such highways, or portions thereof, are in fact inadequate to meet the needs of local and interstate commerce, for the national and civil defense.

It is hereby declared that the prompt and early completion of the National System of Interstate and Defense Highways so named because of its primary importance to the national defense and hereafter referred to as the "Interstate System", is essential to the national interest and is one of the most important objectives of this Act. It is the intent of Congress that the Interstate System be completed as nearly as practicable over the period of availability of the thirteen years' appropriations authorized for the purpose of expediting its construction, reconstruction, or improvement, inclusive of necessary tunnels and bridges, through the fiscal year ending June 30, 1969, under

section 108(b) of the Federal-Aid Highway Act of 1956 (70 Stat. 374), and that the entire System in all States be brought to simultaneous completion. Insofar as possible in consonance with this objective, existing highways located on an interstate route shall be used to the extent that such use is practicable, suitable, and feasible, it being the intent that local needs, to the extent practicable, suitable, and feasible, shall be given equal consideration with the needs of interstate commerce.

§ 102. Authorizations

The provisions of this title apply to all unappropriated authorizations contained in prior Acts, and also to all unexpended appropriations heretofore made, providing for the expenditure of Federal funds upon the Federal-aid systems. All such authorizations and appropriations shall continue in full force and effect, but hereafter obligations entered into and expenditures made pursuant thereto shall be subject to the provisions of this title.

§ 103. Federal-aid systems

(a) For the purposes of this title, the three Federal-aid systems, the primary and secondary systems, and the Interstate System, are continued pursuant to the provisions of this section.

(b) The Federal-aid primary system shall consist of an adequate system of connected main highways, selected or designated by each State through its State highway department, subject to the approval of the Secretary as provided by subsection (c) of this section. This system shall not exceed 7 per centum of the total highway mileage of such State, exclusive of mileage within national forests, Indian, or other Federal reservations and within urban areas, as shown by the records of the State highway department on November 9, 1921. Whenever provision has been made by any State for the completion and maintenance of 90 per centum of its Federal-aid primary system, as originally designated, said State through its State highway department by and with the approval of the Secretary is authorized to increase the mileage of its Federal-aid primary system by additional mileage equal to not more than 1 per centum of the total mileage of said State as shown by the records on November 9, 1921. Thereafter, it may make like 1 per centum increases in the mileage of its Federal-aid primary system whenever provision has been made for the completion and maintenance of 90 per centum of the entire system, including the additional mileage previously authorized. This system may be located both in rural and urban areas. The mileage limitations in this paragraph shall not apply to the District of Columbia, Hawaii, Alaska, or Puerto Rico.

(c) The Federal-aid secondary system shall be selected by the State highway departments and the appropriate local road officials in cooperation with each other, subject to approval by the Secretary as provided in subsection (e) of this section. In making such selections, farm-to-market roads, rural mail routes, public school bus routes, local rural roads, county roads, township roads, and roads of the county road class may be included, so long as they are not on the Federal-aid primary system or the Interstate System. [This system shall be confined to rural areas, except (1) that in any State having a population density of more than two hundred per square mile as shown by the latest available Federal census, the system may include mileage in urban areas as well as rural, and (2) that the system may be extended

into urban areas subject to the conditions that any such extension passes through the urban area or connects with another Federal-aid system within the urban area, and that Federal participation in projects on such extensions is limited to urban funds.】 *This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area.*

(d) The Interstate System shall be designated within the United States, including the District of Columbia, and it shall not exceed forty-one thousand miles in total extent. It shall be so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve the national defense and to the greatest extent possible, to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico. The routes of this system, to the greatest extent possible, shall be selected by joint action of the State highway departments of each State and the adjoining States, subject to the approval by the Secretary as provided in subsection (e) of this section. All highways or routes included in the Interstate System as finally approved, if not already coincident with the primary system, shall be added to said system without regard to the mileage limitation set forth in subsection (b) of this section. This system may be located both in rural and urban areas.

(e) The Secretary shall have authority to approve in whole or in part the Federal-aid primary system, the Federal-aid secondary system, and the Interstate System, as and when such systems or portions thereof are designated, or to require modifications or revisions thereof. No Federal-aid system or portion thereof shall be eligible for projects in which Federal funds participate until approved by the Secretary.

§ 104. Apportionment

(a) Whenever an apportionment is made of the sums authorized to be appropriated for expenditure upon the Federal-aid systems, the Secretary shall deduct a sum, in such amount not to exceed 3¾ per centum of all sums so authorized, as the Secretary may deem necessary for administering the provisions of law to be financed from appropriations for the Federal-aid systems and for carrying on the research authorized by subsections (a) and (b) of section 307 of this title. In making such determination, the Secretary shall take into account the unexpended balance of any sums deducted for such purposes in prior years. The sum so deducted shall be available for expenditure from the unexpended balance of any appropriation made at any time for expenditure upon the Federal-aid systems, until such sum has been expended.

(b) On or before January 1 next preceding the commencement of each fiscal year, except as provided in paragraphs (4) and (5) of this subsection, the Secretary, after making the deduction authorized by subsection (a) of this section, shall apportion the remainder of the sums authorized to be appropriated for expenditure upon the Federal-aid systems for that fiscal year, among the several States in the following manner:

- (1) For the Federal-aid primary system:

One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census; one-third in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery and star routes in all the States at the close of the next preceding [fiscal] calendar year, as shown by a certificate of the Postmaster General, which he is directed to make and furnish annually to the Secretary. No State shall receive less than one-half of 1 per centum of each year's apportionment.

- (2) For the Federal-aid secondary system:

One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the rural population of each State bears to the total rural population of all the States as shown by the latest available Federal census; and one-third in the ratio which the mileage of rural delivery and star routes, certified as above provided, in each State bears to the total mileage of rural delivery and star routes in all the States. No State shall receive less than one-half of 1 per centum of each year's apportionment.

- (3) For extensions of the Federal-aid primary and Federal-aid secondary systems within urban areas:

In the ratio which the population in municipalities and other urban places, of five thousand or more, in each State bears to the total population in municipalities and other urban places of five thousand or more in all the States, as shown by the latest available Federal census. For the purpose of this paragraph, Connecticut and Vermont towns shall be considered municipalities regardless of their incorporated status.

- (4) For the Interstate System, for the fiscal years ending June 30, 1957, June 30, 1958, and June 30, 1959:

One-half in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census, except that no States shall receive less than three-fourths of 1 per centum of the funds so apportioned; and one-half in the manner provided in paragraph (1) of this subsection. The sums authorized by section 108(b) of the Federal-Aid Highway Act of 1956 for the fiscal years ending June 30, 1958, and June 30, 1959, shall be apportioned on a date not less than six months and not more than twelve months in advance of the beginning of the fiscal year for which authorized.

- (5) For the Interstate System for the fiscal years 1960 through 1969:

In the ratio which the estimated cost of completing the Interstate System in each State, as determined and approved in the manner provided in this paragraph, bears to the sum of the estimated cost of completing the Interstate System in all of the States. Each apportionment herein authorized for the fiscal years 1960 through 1969, inclusive, shall be made on a date as far in advance of the beginning of the fiscal year for which authorized as practicable but in no case more than eighteen months prior to the beginning of the fiscal year for which authorized. As soon as the standards provided for in subsection (b) of section 109 of

this title have been adopted, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of completing the Interstate System as then designated, after taking into account all previous apportionments made under this section, based upon such standards and in accordance with rules and regulations adopted by him and applied uniformly to all of the States. The Secretary shall transmit such estimates to the Senate and the House of Representatives within ten days subsequent to January 2, 1958. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1960, June 30, 1961, and June 30, 1962. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1962. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1966, and annually thereafter through and including January 2, 1968. Upon approval of any such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal year which begins next following the fiscal year in which such report is transmitted to the Senate and the House of Representatives. Whenever the Secretary, pursuant to this subsection, requests and receives estimates of cost from the State highway departments, he shall furnish copies of such estimates at the same time to the Senate and the House of Representatives.

(c) Not more than 20 per centum of the amount apportioned in any fiscal year, commencing with the apportionment of funds authorized to be appropriated under subsection (a) of section 102 of the Federal-Aid Highway Act of 1956 (70 Stat. 374), to each State in accordance with paragraphs (1), (2), or (3) of subsection (b) of this section may be transferred from the apportionment under one paragraph to the apportionment under any other of such paragraphs if such a transfer is requested by the State highway department and is approved by the Governor of such State and the Secretary as being in the public interest. The total of such transfers shall not increase the original apportionment under any of such paragraphs by more than 20 per centum. Nothing contained in this subsection shall alter or impair the authority contained in subsection (d) of this section.

(d) Any funds which are apportioned under paragraph (2) of subsection (b) of this section for the Federal-aid secondary system to a State in which all public roads and highways are under the control and supervision of the State highway department may, if the State highway department and the Secretary jointly agree that such funds

are not needed for the Federal-aid secondary system, be expended for projects on another Federal-aid system.

(e) On or before January 1 preceding the commencement of each fiscal year, the Secretary shall certify to each of the State highway departments the sums which he has apportioned hereunder to each State for such fiscal year, and also the sums which he has deducted for administration and research pursuant to subsection (a) of this section.

§ 105. Programs

(a) As soon as practicable after the apportionments for the Federal-aid systems have been made for any fiscal year, the State highway department of any State desiring to avail itself of the benefits of this chapter shall submit to the Secretary for his approval a program or programs of proposed projects for the utilization of the funds apportioned. The Secretary shall act upon programs submitted to him as soon as practicable after the same have been submitted. The Secretary may approve a program in whole or in part, but he shall not approve any project in a proposed program which is not located upon an approved Federal-aid system.

(b) In approving programs for projects on the Federal-aid secondary system, the Secretary shall require, except in States where all public roads and highways are under the control and supervision of the State highway department, that such project be selected by the State highway department and the appropriate local officials in cooperation with each other.

(c) In approving programs for projects on the Federal-aid primary system, the Secretary shall give preference to such projects as will expedite the completion of an adequate and connected system of highways interstate in character.

(d) In approving programs for projects under this chapter, the Secretary may give priority of approval to, and expedite the construction of, projects that are recommended as important to the national defense by the Secretary of Defense, or other official authorized by the President to make such recommendation.

§ 106. Plans, specifications, and estimates

(a) Except as provided in section 117 of this title, the State highway department shall submit to the Secretary for his approval, as soon as practicable after program approval, such surveys, plans, specifications, and estimates for each proposed project included in an approved program as the Secretary may require. The Secretary shall act upon such surveys, plans, specifications, and estimates as soon as practicable after the same have been submitted, and his approval of any such project shall be deemed a contractual obligation of the Federal Government for the payment of its proportional contribution thereto. In taking such action, the Secretary shall be guided by the provisions of section 109 of this title.

(b) In addition to the approval required under subsection (a) of this section, proposed specifications for projects for construction on the Federal-aid secondary system, except in States where all public roads and highways are under the control and supervision of the State highway department, shall be determined by the State highway department and the appropriate local officials in cooperation with each other.

(c) Items included in any such estimate for construction engineering shall not exceed 10 per centum of the total estimated cost of the project, after excluding from such total estimated cost, the estimated costs of rights-of-way, preliminary engineering and construction engineering.

§ 107. Acquisition of rights-of-way—Interstate System

(a) In any case in which the Secretary is requested by a State to acquire lands or interests in lands (including within the term "interests in lands", the control of access thereto from adjoining lands) required by such State for right-of-way or other purposes in connection with the prosecution of any project for the construction, reconstruction, or improvement of any section of the Interstate System, the Secretary is authorized, in the name of the United States and prior to the approval of title by the Attorney General, to acquire, enter upon, and take possession of such lands or interests in lands by purchase, donation, condemnation, or otherwise in accordance with the laws of the United States (including the Act of February 26, 1931, 46 Stat. 1421), if—

(1) the Secretary has determined either that the State is unable to acquire necessary lands or interests in lands, or is unable to acquire such lands or interests in lands with sufficient promptness; and

(2) the State has agreed with the Secretary to pay, at such time as may be specified by the Secretary an amount equal to 10 per centum of the costs incurred by the Secretary, in acquiring such lands or interests in lands, or such lesser percentage which represents the State's pro rata share of project costs as determined in accordance with subsection (c) of section 120 of this title.

The authority granted by this section shall also apply to lands and interests in lands received as grants of land from the United States and owned or held by railroads or other corporations.

(b) The costs incurred by the Secretary in acquiring any such lands or interests in lands may include the cost of examination and abstract of title, certificate of title, advertising, and any fees incidental to such acquisition. All costs incurred by the Secretary in connection with the acquisition of any such lands or interests in lands shall be paid from the funds for construction, reconstruction, or improvement of the Interstate System apportioned to the State upon the request of which such lands or interests in lands are acquired, and any sums paid to the Secretary by such State as its share of the costs of acquisition of such lands or interests in lands shall be deposited in the Treasury to the credit of the appropriation for Federal-aid highways and shall be credited to the amount apportioned to such State as its apportionment of funds for construction, reconstruction, or improvement of the Interstate System, or shall be deducted from other moneys due the State for reimbursement from funds authorized to be appropriated under section 108 (b) of the Federal-Aid Highway Act of 1956.

(c) The Secretary is further authorized and directed by proper deed, executed in the name of the United States, to convey any such lands or interests in lands acquired in any State under the provisions of this section, except the outside five feet of any such right-of-way in any State which does not provide control of access, to the State highway department of such State or such political subdivision thereof as its laws may provide, upon such terms and conditions as to such

lands or interests in lands as may be agreed upon by the Secretary and the State highway department or political subdivisions to which the conveyance is to be made. Whenever the State makes provision for control of access satisfactory to the Secretary, the outside five feet then shall be conveyed to the State by the Secretary, as herein provided.

(d) Whenever rights-of-way, including control of access, on the Interstate System are required over lands or interests in lands owned by the United States, the Secretary may make such arrangements with the agency having jurisdiction over such lands as may be necessary to give the State or other person constructing the projects on such lands adequate rights-of-way and control of access thereto from adjoining lands, and any such agency is directed to cooperate with the Secretary in this connection.

§ 108. Advance acquisition of rights-of-way

(a) For the purpose of facilitating the acquisition of rights-of-way on any of the Federal-aid highway systems, including the Interstate System, in the most expeditious and economical manner, and recognizing that the acquisition of rights-of-way requires lengthy planning and negotiations if it is to be done at a reasonable cost, the Secretary, upon the request of the State highway department, is authorized to make available the funds apportioned to any State for expenditure on any of the Federal-aid highway systems, including the Interstate System, for acquisition of rights-of-way, in anticipation of construction and under such rules and regulations as the Secretary may prescribe. The agreement between the Secretary and the State highway department for the reimbursement of the cost of such rights-of-way shall provide for the actual construction of a road on such rights-of-way within a period not exceeding seven years following the fiscal year in which such request is made.

(b) Federal participation in the cost of rights-of-way acquired under this section shall not exceed the Federal pro rata share applicable to the class of funds from which Federal reimbursement is made.

§ 109. Standards

(a) The Secretary shall not approve plans and specifications for proposed projects on any Federal-aid system if they fail to provide for a facility (1) that will adequately meet the existing and probable future traffic needs and conditions in a manner conducive to safety, durability, and economy of maintenance; (2) that will be designed and constructed in accordance with standards best suited to accomplish the foregoing objectives and to conform to the particular needs of each locality.

(b) The geometric and construction standards to be adopted for the Interstate System shall be those approved by the Secretary in cooperation with the State highway departments. Such standards shall be adequate to accommodate the types and volumes of traffic forecast for the year 1975. The right-of-way width of the Interstate System shall be adequate to permit construction of projects on the Interstate System up to such standards. The Secretary shall apply such standards uniformly throughout the States.

(c) Projects on the Federal-aid secondary system in which Federal funds participate shall be constructed according to specifications that will provide all-weather service and permit maintenance at a reasonable cost.

(d) On any highway project in which Federal funds hereafter participate, or on any such project constructed since December 20, 1944, the location, form and character of informational, regulatory and warning signs, curb and pavement or other markings, and traffic signals installed or placed by any public authority or other agency, shall be subject to the approval of the State highway department with the concurrence of the Secretary, who is directed to concur only in such installations as will promote the safe and efficient utilization of the highways.

(e) No funds shall be approved for expenditure on any Federal-aid highway, or highway affected under chapter 2 of this title, unless proper safety protective devices complying with safety standards determined by the Secretary at that time as being adequate shall be installed or be in operation at any highway and railroad grade crossing or drawbridge on that portion of the highway with respect to which such expenditures are to be made.

(f) The Secretary shall not, as a condition precedent to his approval under section 106 of this title, require any State to acquire title to, or control of, any marginal land along the proposed highway in addition to that reasonably necessary for road surfaces, median strips, gutters, ditches, and side slopes, and of sufficient width to provide service roads for adjacent property to permit safe access at controlled locations in order to expedite traffic, promote safety, and minimize roadside parking.

§ 110. Project agreements

(a) As soon as practicable after the plans, specifications, and estimates for a specific project have been approved, the Secretary shall enter into a formal project agreement with the State highway department concerning the construction and maintenance of such project. Such project agreement shall make provision for State funds required for the State's pro rata share of the cost of construction of such project and for the maintenance thereof after completion of construction.

(b) The Secretary may rely upon representations made by the State highway department with respect to the arrangements or agreements made by the State highway department and appropriate local officials where a part of the project is to be constructed at the expense of, or in cooperation with, local subdivisions of the State.

§ 111. Agreements relating to use of and access to rights-of-way— Interstate System

All agreements between the Secretary and the State highway department for the construction of projects on the Interstate System shall contain a clause providing that the State will not add any points of access to, or exit from, the project in addition to those approved by the Secretary in the plans for such project, without the prior approval of the Secretary. Such agreements shall also contain a clause providing that the State will not permit automotive service stations or other commercial establishments for serving motor vehicle users to be constructed or located on the rights-of-way of the Interstate System. Such agreements may, however, authorize a State or political subdivision thereof to use or permit the use of the airspace above and below the established grade line of the highway pavement for such purposes as will not impair the full use and safety of the

highway, as will not require or permit vehicular access to such space directly from such established grade line of the highway, or otherwise interfere in any way with the free flow of traffic on the Interstate System.

§ 112. Letting of contracts

(a) In all cases where the construction is to be performed by the State highway department or under its supervision, a request for submission of bids shall be made by advertisement unless some other method is approved by the Secretary. The Secretary shall require such plans and specifications and such methods of bidding as shall be effective in securing competition.

(b) Construction of each project, subject to the provisions of subsection (a) of this section, shall be performed by contract awarded by competitive bidding, unless the Secretary shall affirmatively find that, under the circumstances relating to such project, some other method is in the public interest. All such findings shall be reported promptly in writing to the Committees on Public Works of the Senate and the House of Representatives.

(c) The Secretary shall require as a condition precedent to his approval of each contract awarded by competitive bidding pursuant to subsection (b) of this section, and subject to the provisions of this section, a sworn statement, executed by, or on behalf of, the person, firm, association, or corporation to whom such contract is to be awarded, certifying that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with such contract.

(d) No contract awarded by competitive bidding pursuant to subsection (b) of this section, and subject to the provisions of this section, shall be entered into by any State highway department or local subdivision of the State without compliance with the provisions of this section, and without the prior concurrence of the Secretary in the award thereof.

(e) The provisions of this section shall not be applicable to contracts for projects on the Federal-aid secondary system in those States where the Secretary has discharged his responsibility pursuant to section 117 of this title.

§ 113. Prevailing rate of wage—Interstate System

(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Interstate System authorized under section 108(b) of the Federal-Aid Highway Act of 1956, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C., sec. 276a).

(b) In carrying out the duties of subsection (a) of this section, the Secretary of Labor shall consult with the highway department of the State in which a project on the Interstate System is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of

this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

§ 114. Construction

(a) The construction of any highways or portions of highways located on a Federal-aid system shall be undertaken by the respective State highway departments or under their direct supervision. Except as provided in section 117 of this title, such construction shall be subject to the inspection and approval of the Secretary. The construction work and labor in each State shall be performed under the direct supervision of the State highway department and in accordance with the laws of that State and applicable Federal laws. Construction may be begun as soon as funds are available for expenditure pursuant to subsection (a) of section 118 of this title. On any project where actual construction is in progress and visible to highway users, the State highway department shall erect such informational sign or signs as prescribed by the Secretary, identifying the project and the respective amounts contributed therefor by the State and Federal Governments.

(b) Convict labor shall not be used in such construction unless it is labor performed by convicts who are on parole or probation.

§ 115. Construction by States in advance of apportionment— Interstate System

(a) When a State has obligated all funds apportioned to it under subsection (b) (4) and (5) of section 104 of this title, and proceeds to construct any project without the aid of Federal funds, including one or more parts of any project, on the Interstate System as designated at that time, in accordance with all procedures and all requirements applicable to projects financed with Interstate System funds authorized to be appropriated under subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, except insofar as such procedures and requirements limit a State to the construction of projects with the aid of Federal funds previously apportioned to it, the Secretary, upon application by such State and his approval of such application, is authorized to pay to such State the Federal share of the costs of construction of such project when additional funds are apportioned to such State under subsection (b) (4) and (5) of section 104 of this title if:

(1) prior to the construction of the project the Secretary shall have approved the plans and specifications therefor in the same manner as other projects on the Interstate System, and

(2) the project shall conform to the standards adopted under subsection (b) of section 109 of this title.

(b) In determining the apportionment for any fiscal year under the provisions of subsection (b)(5) of section 104 of this title, any such project constructed by a State without the aid of Federal funds shall not be considered completed until an application under the provisions of this section with respect to such project has been approved by the Secretary.

§ 116. Maintenance

(a) It shall be the duty of the State highway department to maintain, or cause to be maintained, any project constructed under the provisions of this chapter or constructed under the provisions of prior

Acts. The State's obligation to the United States to maintain any such project shall cease when it no longer constitutes a part of a Federal-aid system.

(b) In any State wherein the State highway department is without legal authority to maintain a project constructed on the Federal-aid secondary system, or within a municipality, such highway department shall enter into a formal agreement for its maintenance with the appropriate officials of the county or municipality in which such project is located.

(c) If at any time the Secretary shall find that any project constructed under the provisions of this chapter, or constructed under the provisions of prior Acts, is not being properly maintained, he shall call such fact to the attention of the State highway department. If, within ninety days after receipt of such notice, such project has not been put in proper condition of maintenance, the Secretary shall withhold approval of further projects of all types in the entire State until such project shall have been put in proper condition of maintenance, unless such project is subject to an agreement pursuant to subsection (b) of this section, in which case approval shall be withheld only for secondary or urban projects in the county or municipality where such project is located.

§ 117. Secondary road responsibility

(a) The Secretary may, upon the request of any State highway department, discharge his responsibility relative to the plans, specifications, estimates, surveys, contract awards, design, inspection, and construction of all projects on the Federal-aid secondary system by his receiving and approving a certified statement by the State highway department setting forth that the plans, design, and construction for each such project are in accord with those standards and procedures which (1) were adopted by such State highway department, (2) were applicable to projects in this category, and (3) were approved by him.

(b) The Secretary shall not approve such standards and procedures unless they are in accordance with the provisions of subsection (b) of section 105, subsection (b) of section 106, and subsection (c) of section 109, of this title.

(c) Subsections (a) and (b) of this section shall not be construed to relieve the Secretary of his obligation to make a final inspection of each project after construction and to require an adequate showing of the estimate cost of construction and the actual cost of construction.

§ 118. Availability of sums apportioned

(a) On and after the date that the Secretary has certified to each State highway department the sums apportioned to each Federal-aid system or part thereof pursuant to an authorization under this title, or under prior Acts, such sums shall be available for expenditure under the provisions of this title.

(b) Such sums shall continue available for expenditure in that State for the appropriate Federal-aid system or part thereof for a period of two years after the close of the fiscal year for which such sums are authorized and any amounts so apportioned remaining unexpended at the end of such period shall lapse, except that any amount apportioned to the States for the Interstate System under subsection (b) (4) and (5) of section 104 of this title remaining unexpended at the end of the period during which it is available under this section shall

lapse and shall immediately be reapportioned among the other States in accordance with the provisions of subsection (b)(5) of section 104 of this title. Such sums for any fiscal year shall be deemed to be expended if a sum equal to the total of the sums apportioned to the State for such fiscal year and previous fiscal years is covered by formal project agreements providing for the expenditure of funds authorized by each Act which contains provisions authorizing the appropriation of funds for Federal-aid highways. Any Federal-aid highway funds released by the payment of the final voucher or by the modification of the formal project agreement shall be credited to the same class of funds, primary, secondary, urban, or interstate, previously apportioned to the State and be immediately available for expenditure.

(c) The total payments to any State shall not at any time during a current fiscal year exceed the total of all apportionments to such State in accordance with section 104 of this title for such fiscal year and all preceding fiscal years.

§ 120. Federal share payable

(a) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project, financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system shall not exceed 50 per centum of the cost of construction, except that in the case of any State containing nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved) exclusive of national forests and national parks and monuments, exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area.

(b) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project, financed with interstate funds on the Interstate System, authorized to be appropriated prior to June 29, 1956, shall not exceed 60 per centum of the cost of construction, except that in the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area. The provisions of subsection (a) of this section shall apply to any project financed with funds authorized by the provisions of section 2 of the Federal-Aid Highway Act of 1952.

(c) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project on the Interstate System provided for by funds made available under the provisions of section 108(b) of the Federal-Aid Highway Act of 1956 shall be increased to 90 per centum of the total cost thereof, plus a percentage of the remaining 10 per centum of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, equal to the percentage that the area of such lands in such State is of its total area, except that such Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of such project.

(d) The Federal share payable on account of any project for the elimination of hazards of railway-highway crossings, as more fully described and subject to the conditions and limitations set forth in section 130 of this title, may amount to 100 per centum of the cost of construction of such projects, except that not more than 50 per centum of the right-of-way and property damage costs, paid from public funds, on any such project, may be paid from sums apportioned in accordance with section 104 of this title: *Provided*, That not more than 10 per centum of all the sums apportioned for all the Federal-aid systems for any fiscal year in accordance with section 104 of this title shall be used under this subsection.

(e) The Secretary may rely on a statement from the Secretary of the Interior as to the area of the lands referred to in subsections (a) and (b) of this section. The Secretary of the Interior is authorized and directed to provide such statement annually.

(f) The Federal share payable on account of any repair or reconstruction provided for by funds made available under section 125 of this title shall not exceed 50 per centum of the cost thereof, except that the Federal share payable on account of any repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads may amount to 100 per centum of the cost thereof, whether or not such highways, roads, or trails are on any Federal-aid highway system. Any project agreement for which the final voucher has not been approved by the Secretary on or before the date of this Act may be modified to provide for the Federal share authorized herein.

(g) The Secretary is authorized to cooperate with the State highway departments and with the Department of the Interior in the construction of Federal-aid highways within Indian reservations and national parks and monuments under the jurisdiction of the Department of the Interior and to pay the amount assumed therefor from the funds apportioned in accordance with section 104 of this title to the State wherein the reservations and national parks and monuments are located.

§ 121. Payment to States for construction

(a) The Secretary may in his discretion, from time to time as the work progresses, make payments to a State for costs of construction incurred by it on a project. These payments shall at no time exceed the Federal share of the costs of construction incurred to the date of the voucher covering such payment plus the Federal share of the value of the materials which have been stockpiled in the vicinity of such construction in conformity to plans and specifications for the project.

(b) After completion of a project in accordance with the plans and specifications, and approval of the final voucher by the Secretary, a State shall be entitled to payment out of the appropriate sums apportioned to it of the unpaid balance of the Federal share payable on account of such project.

(c) No payment shall be made under this chapter, except for a project located on a Federal-aid system and covered by a project agreement. No final payment shall be made to a State for its costs of construction of a project until the completion of the construction has been approved by the Secretary following inspections pursuant to section 114(a) of this title.

(d) In making payments pursuant to this section, the Secretary shall be bound by the limitations with respect to the permissible amounts of such payments contained in sections 120 and 130 of this title. Payments for construction engineering on any one project shall not exceed the 10 per centum of the Federal share of the cost of construction of such project after excluding from the cost of construction the costs of rights-of-way, preliminary engineering, and construction engineering.

(e) Such payments shall be made to such official or officials or depository as may be designated by the State highway department and authorized under the laws of the State to receive public funds of the State.

§ 122. Payment to States for bond retirement

Any State that shall use the proceeds of bonds issued by the State, county, city, or other political subdivision of the State for the construction of one or more projects on the Federal-aid primary or Interstate System, or extensions of any of the Federal-aid highway systems in urban areas, may claim payment of any portion of the sums apportioned to it for expenditure on such system to aid in the retirement of the principal of such bonds at their maturities, to the extent that the proceeds of such bonds have been actually expended in the construction of one or more of such projects. Such claim for payment may be made only when all of the provisions of this title have been complied with to the same extent and with the same effect as though payment were to be made to the State under section 121 of this title, instead of this section, and the Federal share payable shall not exceed the pro rata basis of payment authorized in section 120 of this title. This section shall not be construed as a commitment or obligation on the part of the United States to provide funds for the payment of the principal of any such bonds.

§ 123. Relocation of utility facilities

(a) When a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project. Federal funds shall not be used to reimburse the State under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State. Such reimbursement shall be made only after evidence satisfactory to the Secretary shall have been presented to him substantiating the fact that the State has paid such cost from its own funds with respect to Federal-aid highway projects for which Federal funds are obligated subsequent to April 16, 1958, for work, including relocation of utility facilities.

(b) The term "utility", for the purposes of this section, shall include publicly, privately, and cooperatively owned utilities.

(c) The term "cost of relocation", for the purposes of this section, shall include the entire amount paid by such utility properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility.

§ 124. Advances to States

If the Secretary shall determine that it is necessary for the expeditious completion of projects on any of the Federal-aid systems, including the Interstate System, he may advance to any State out of any existing appropriations the Federal share of the cost of construction thereof to enable the State highway department to make prompt payments for acquisition of rights-of-way, and for the construction as it progresses. The sums so advanced shall be deposited in a special revolving trust fund, by the State official authorized under the laws of the State to receive Federal-aid highway funds, to be disbursed solely upon vouchers approved by the State highway department for rights-of-way which have been or are being acquired, and for construction which has been actually performed and approved by the Secretary pursuant to this chapter. Upon determination by the Secretary that any part of the funds advanced to any State under the provisions of this section are no longer required, the amount of the advance, which is determined to be in excess of current requirements of the State, shall be repaid upon his demand, and such repayments shall be returned to the credit of the appropriation from which the funds were advanced. Any sum advanced and not repaid on demand shall be deducted from sums due the State for the Federal pro rata share of the cost of construction of Federal-aid projects.

§ 125. Emergency relief

(a) An emergency fund is authorized for expenditure by the Secretary, subject to the provisions of this section and section 120, for the repair or reconstruction of highways, roads, and trails which he shall find have suffered serious damage as the result of disaster over a wide area, such as by floods, hurricanes, tidal waves, earthquakes, severe storms, landslides, or other catastrophes in any part of the United States. The appropriation of such moneys, not to exceed \$30,000,000, as may be necessary for the initial establishment of this fund and for its replenishment on an annual basis is authorized. Pending such appropriation or replenishment the Secretary may expend from any funds heretofore or hereafter appropriated for expenditure in accordance with the provisions of this title, including existing Federal-aid appropriations, such sums as may be necessary for the immediate prosecution of the work herein authorized, such appropriations to be reimbursed from the appropriations herein authorized when made.

(b) The Secretary may expend funds from the emergency fund herein authorized for the repair or reconstruction of highways on the Federal-aid highway systems, including the Interstate System, in accordance with the provisions of this chapter. Except as to highways, roads, and trails mentioned in subsection (c) of this section, no funds shall be so expended unless the Secretary has received an application therefor from the State highway department, and unless an emergency has been declared by the Governor of the State and concurred in by the Secretary.

(c) The Secretary may expend funds from the emergency fund herein authorized, either independently or in cooperation with any other branch of the Government, State agency, organization, or person, for the repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reserva-

tion roads, whether or not such highways, roads, or trails are on any of the Federal-aid highway systems.

§ 126. Diversion

(a) Since it is unfair and unjust to tax motor-vehicle transportation unless the proceeds of such taxation are applied to the construction, improvement, or maintenance of highways, after June 30, 1935, Federal aid for highway construction shall be extended only to those States that use at least the amounts provided by law on June 18, 1934, for such purposes in each State from State motor vehicle registration fees, licenses, gasoline taxes, and other special taxes on motor-vehicle owners and operators of all kinds for the construction, improvement, and maintenance of highways and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues have been pledged, and for no other purposes, under such regulations as the Secretary of Commerce shall promulgate from time to time.

(b) In no case shall the provisions of this section operate to deprive any State of more than one-third of the entire apportionment authorized under this chapter to which that State would be entitled in any fiscal year. The amount of any reduction in a State's apportionment shall be reapportioned in the same manner as any other unexpended balance at the end of the period during which it otherwise would be available in accordance with section 104(b) of this title.

§ 127. Vehicle weight and width limitations—Interstate System

No funds authorized to be appropriated for any fiscal year under section 108(b) of the Federal-Aid Highway Act of 1956 shall be apportioned to any State within the boundaries of which the Interstate System may lawfully be used by vehicles with weight in excess of eighteen thousand pounds carried on any one axle, or with a tandem-axle weight in excess of thirty-two thousand pounds, or with an overall gross weight in excess of seventy-three thousand two hundred and eighty pounds, or with a width in excess of ninety-six inches, or the corresponding maximum weights or maximum widths permitted for vehicles using the public highways of such State under laws or regulations established by appropriate State authority in effect on July 1, 1956, whichever is the greater. Any amount which is withheld from apportionment to any State pursuant to the foregoing provisions shall lapse. This section shall not be construed to deny apportionment to any State allowing the operation within such State of any vehicles or combinations thereof that could be lawfully operated within such State on July 1, 1956. With respect to the State of Hawaii, laws or regulations in effect on February 1, 1960, shall be applicable for the purposes of this section in lieu of those in effect on July 1, 1956.

§ 128. Public hearings

(a) Any State highway department which submits plans for a Federal-aid highway project involving the bypassing of, or going through, any city, town, or village, either incorporated or unincorporated, shall certify to the Secretary that it has had public hearings, or has afforded the opportunity for such hearings, and has considered the economic effects of such a location. Any State highway department which submits plans for an Interstate System project shall certify

to the Secretary that it has had public hearings at a convenient location, or has afforded the opportunity for such hearings, for the purpose of enabling persons in rural areas through or contiguous to whose property the highway will pass to express any objections they may have to the proposed location of such highway.

(b) When hearings have been held under subsection (a), the State highway department shall submit a copy of the transcript of said hearings to the Secretary, together with the certification.

§ 129. Toll roads, bridges, tunnels, and ferries

(a) Notwithstanding the provisions of section 301 of this title, the Secretary may permit Federal participation, on the same basis and in the same manner as in the construction of free highways under this chapter, in the construction of any toll bridge, toll tunnel, or approach thereto, upon compliance with the conditions contained in this section. Such bridge, tunnel, or approach thereto, must be publicly owned and operated. Federal funds may participate in the approaches to a toll bridge or toll tunnel whether such bridge or tunnel is to be or has been constructed, or acquired, by the State or other public authority. The State highway department or departments must be a party or parties to an agreement with the Secretary whereby it or they undertake performance of the following obligations:

(1) all tolls received from the operation of the bridge or tunnel, less the actual cost of such operation and maintenance, shall be applied to the repayment to the State or other public authority of all of the costs of construction or acquisition of such bridge or tunnel, except that part which was contributed by the United States;

(2) no tolls shall be charged for the use of such bridge or tunnel after the State or other public authority shall have been so repaid; and

(3) after the date of final repayment, the bridge or tunnel shall be maintained and operated as a free bridge or free tunnel.

(b) Upon a finding by the Secretary that such action will promote the development of an integrated Interstate System, the Secretary is authorized to approve as part of the Interstate System any toll road, bridge or tunnel, now or hereafter constructed which meets the standards adopted for the improvement of projects located on the Interstate System, when such toll road, bridge or tunnel is located on a route heretofore or hereafter designated as a part of the Interstate System. No Federal-aid highway funds shall be expended for the construction, reconstruction or improvement of any such toll road, except to the extent permitted by law after June 29, 1956. No Federal-aid highway funds shall be expended for the construction, reconstruction or improvement of any such toll bridge or tunnel, except to the extent permitted by law on or after June 29, 1956.

(c) Funds authorized for expenditure on any of the Federal-aid highway systems, including the Interstate System, shall be available for expenditure on projects approaching any toll road, bridge or tunnel to a point where such project will have some use irrespective of its use for such toll road, bridge or tunnel.

(d) Funds authorized for the Interstate System shall be available for expenditure on Interstate System projects approaching any toll road on the Interstate System, although the project has no use other than an approach to such toll road, if an agreement satisfactory to

the Secretary has been reached with the State prior to the approval of such project—

(1) that the section of toll road will become free to the public upon the collection of tolls sufficient to liquidate the cost of the toll road or any bonds outstanding at the time constituting a valid lien against such section of toll road covered in the agreement and their maintenance and operation and debt service during the period of toll collections, and

(2) that there is one or more reasonably satisfactory alternate free routes available to traffic by which the toll section of the system may be bypassed.

(e) Notwithstanding the provisions of section 301 of this title, the Secretary may permit Federal participation under this title in the construction of a project constituting an approach to a ferry, whether toll or free, the route of which has been approved under section 103(b) or (c) of this title as a part of one of the Federal-aid systems and has not been designated as a route on the Interstate System. Such ferry may be either publicly or privately owned and operated, but the operating authority and the amount of fares charged for passage shall be under the control of a State agency or official, and all revenues derived from publicly owned or operated ferries shall be applied to payment of the cost of construction or acquisition thereof, including debt service, and to actual and necessary costs of operation, maintenance, repair, and replacement.

§ 130. Railway-highway crossings

(a) Except as provided in subsection (d) of section 120 of this title and subsection (b) of this section, the entire cost of construction of projects for the elimination of hazards of railway-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, and the relocation of highways to eliminate grade crossings, may be paid from sums apportioned in accordance with section 104 of this title. In any case when the elimination of the hazards of a railway-highway crossing can be effected by the relocation of a portion of a railway at a cost estimated by the Secretary to be less than the cost of such elimination by one of the methods mentioned in the first sentence of this section, then the entire cost of such relocation project, except as provided in subsection (d) of section 120 of this title and subsection (b) of this section, may be paid from sums apportioned in accordance with section 104 of this title.

(b) The Secretary may classify the various types of projects involved in the elimination of hazards of railway-highway crossings, and may set for each such classification a percentage of the costs of construction which shall be deemed to represent the net benefit to the railroad or railroads for the purpose of determining the railroad's share of the cost of construction. The percentage so determined shall in no case exceed 10 per centum. The Secretary shall determine the appropriate classification of each project.

(c) Any railroad involved in a project for the elimination of hazards of railway-highway crossings paid for in whole or in part from sums made available for expenditure under this title, or prior Acts, shall be liable to the United States for the net benefit to the railroad determined under the classification of such project made pursuant to subsection (b) of this section. Such liability to the

United States may be discharged by direct payment to the State highway department of the State in which the project is located, in which case such payment shall be credited to the cost of the project. Such payment may consist in whole or in part of materials and labor furnished by the railroad in connection with the construction of such project. If any such railroad fails to discharge such liability within a six-month period after completion of the project, it shall be liable to the United States for its share of the cost, and the Secretary shall request the Attorney General to institute proceedings against such railroad for the recovery of the amount for which it is liable under this subsection. The Attorney General is authorized to bring such proceedings on behalf of the United States, in the appropriate district court of the United States, and the United States shall be entitled in such proceedings to recover such sums as it is considered and adjudged by the court that such railroad is liable for in the premises. Any amounts recovered by the United States under this subsection shall be credited to miscellaneous receipts.

§ 131. Areas adjacent to the Interstate System

(a) To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, it is declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within six hundred and sixty feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System constructed upon any part of right-of-way, the entire width of which is acquired subsequent to July 1, 1956, should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall include only the following four types of signs, and no signs advertising illegal activities:

(1) Directional or other official signs or notices that are required or authorized by law.

(2) Signs advertising the sale or lease of the property upon which they are located.

(3) Signs erected or maintained pursuant to authorization or permitted under State law, and not inconsistent with the national policy and standards of this section, advertising activities being conducted at a location within twelve miles of the point at which such signs are located.

(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

(b) The Secretary of Commerce is authorized to enter into agreements with State highway departments (including such supplementary agreements as may be necessary) to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State. Any such agreement shall include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising

devices in conformity with the standards established in accordance with subsection (a) of this section and may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions that are accessible to the public without charge, and the erection of markers, signs, or plaques, and development of areas in appreciation of sites of historical significance. Agreements entered into between the Secretary of Commerce and State highway departments under this section shall not apply to those segments of the Interstate System which traverse commercial or industrial zones within the presently existing boundaries of incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use, as of the date of approval of this Act, is clearly established by State law as industrial or commercial: and any such segment excluded from the application of such standards shall not be considered in computing the increase of the Federal share payable on account thereof.

(c) Notwithstanding the provisions of section 109 of this title, if an agreement pursuant to this section has been entered into with any State prior to July 1, 1963, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section 108(b) of the Federal-Aid Highway Act of 1956, as amended by section 8 of the Federal-Aid Highway Act of 1958, to which the national policy and the agreement apply, shall be increased by one-half of one per centum of the total cost thereof, not including any additional cost that may be incurred in the carrying out of the agreement. The increase in the Federal share which is payable hereunder shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated, which such appropriations are hereby authorized.

(d) Whenever any portion of the Interstate System is located upon or adjacent to any public lands or reservations of the United States, the Secretary of Commerce may make such arrangements and enter into such agreements with the agency having jurisdiction over such lands or reservations as may be necessary to carry out the national policy set forth in subsection (a) of this section, and any such agency is authorized and directed to cooperate fully with the Secretary of Commerce in this connection.

(e) Whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way of a project on the Interstate System for the purpose of implementing this section, the cost of such acquisition shall be considered as a part of the cost of construction of such project and Federal funds may be used to pay the Federal pro rata share of such cost. Reimbursement to the State shall be made only with respect to that portion of such cost which does not exceed 5 per centum of the cost of the right-of-way for such project.

§ 132. Payments on Federal-aid projects undertaken by a Federal agency

Where a proposed Federal-aid project is to be undertaken by a Federal agency pursuant to an agreement between a State and such Federal agency and the State makes a deposit with or payment to

such Federal agency as may be required in fulfillment of the State's obligation under such agreement for the work undertaken or to be undertaken by such Federal agency, the Secretary, upon execution of a project agreement with such State for the proposed Federal-aid project, may reimburse the State out of the appropriate appropriations the estimated Federal share under the provisions of this title of the State's obligation so deposited or paid by such State. Upon completion of such project and its acceptance by the Secretary, an adjustment shall be made in such Federal share payable on account of such project based on the final cost thereof. Any sums reimbursed to the State under this section which may be in excess of the Federal pro rata share under the provisions of this title of the State's share of the cost as set forth in the approved final voucher submitted by the State shall be recovered and credited to the same class of funds from which the Federal payment under this section was made.

§ 133. Relocation assistance

(a) *As used in this section the term "eligible person" means any individual, family, business concern (including the operation of a farm) and nonprofit organization to be displaced by construction of a project.*

(b) *The Secretary prior to his approval of any project under section 106 of this title for right-of-way acquisition or actual construction shall require the State highway department to give satisfactory assurance that there exists one or more feasible methods (including relocation advisory assistance) for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway.*

(c) *The Secretary shall approve, as a part of the cost of construction of a project on any of the Federal-aid highway systems, such relocation payments as may be made by a State highway department, or a local public agency acting as an agent for the State highway department for this purpose, to eligible persons for their reasonable and necessary moving expenses caused by their displacement from real property acquired for such project. However, the Secretary shall not require a State to pay relocation payments where not authorized by State law.*

(d) *Payments under this section shall be subject to such rules and regulations as may be prescribed by the Secretary, and shall not exceed \$200 in the case of an individual or family, or \$3,000 in the case of a business concern (including the operation of a farm) or nonprofit organization. In the case of a business (including the operation of a farm) and in the case of a nonprofit organization, the allowable expenses for transportation under this subsection shall not exceed the cost of moving 50 miles from the point from which such business or organization is being displaced. Such rules and regulations may include provisions authorizing reimbursement for payments made to individuals and families of fixed amounts (not to exceed \$200 in any case) in lieu of their respective reasonable and necessary moving expenses.*

(e) *This section shall apply only with respect to projects approved under section 106 of this title after the date of enactment of this section.*

§ 134. Transportation planning in certain urban areas

It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly

coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section.

CHAPTER 2—OTHER HIGHWAYS

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§ 201. Authorizations

The provisions of this title shall apply to all unappropriated authorizations contained in prior Acts, and also to all unexpended appropriations heretofore made, providing for the expenditure of Federal funds on the following classes of highways: Forest highways, forest development roads and trails, park roads and trails, parkways, Indian reservation roads, public lands highways, and defense access roads. All such authorizations and appropriations shall continue in full force and effect, but hereafter obligations entered into and expenditures made pursuant thereto shall be subject to the provisions of this title.

§ 202. Apportionment or allocation

(a) On or before January 1 next preceding the commencement of each fiscal year, the Secretary shall apportion the sums authorized to be appropriated for such fiscal year for forest highways in the several States, according to the area and value of the land owned by the United States within the national forests therein, which the Secretary of Agriculture is directed to determine and certify to the Secretary from such information, sources, and departments as the Secretary of Agriculture may deem most accurate.

(b) Sums authorized to be appropriated for forest development roads and trails shall be allocated by the Secretary of Agriculture according to the relative needs of the various national forests, taking into consideration the existing transportation facilities, value of timber or other resources served, relative fire danger, and comparative difficulties of road and trail construction.

(c) Sums authorized to be appropriated for public lands highways shall be allocated by the Secretary among those States having unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations, on the basis of need in such States, respectively, as determined by the Secretary upon application of the State

highway departments of the respective States. Preference shall be given to those projects which are located on a Federal-aid system.

§ 203. Availability of funds

Funds authorized for forest highways, forest development roads and trails, *public lands development roads and trails*, park roads and trails, parkways, Indian reservation roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than one year preceding the beginning of the fiscal year for which authorized if no apportionment is required. Any amount remaining unexpended for a period of two years after the close of the fiscal year for which authorized shall lapse. The Secretary of the Department charged with the administration of such funds is granted authority to incur obligations, approve projects, and enter into contracts under such authorizations and his action in doing so shall be deemed a contractual obligation of the United States for the payment of the cost thereof and such funds shall be deemed to have been expended when so obligated. Any funds heretofore or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, *public lands development roads and trails*, park roads and trails, parkways, Indian roads, and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorizations shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

§ 204. Forest highways

(a) Funds available for forest highways shall be used by the Secretary to pay for the cost of construction and maintenance thereof. In connection therewith, the Secretary may enter into construction contracts and such other contracts with a State, or civil subdivision thereof as he deems advisable.

(b) Cooperation of States, counties, or other local subdivisions, may be accepted but shall not be required by the Secretary.

(c) Construction estimated to cost \$5,000 or more per mile, exclusive of bridges, shall be advertised and let to contract. If such estimated cost is less than \$5,000 per mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary on his own account. For such purpose, the Secretary may purchase, lease, hire, rent, or otherwise obtain all necessary supplies, materials, tools, equipment, and facilities required to perform the work, and may pay wages, salaries, and other expenses for help employed in connection with such work.

(d) All appropriations for forest highways shall be administered in conformity with regulations jointly approved by the Secretary and the Secretary of Agriculture.

(e) The Secretary shall transfer to the Secretary of Agriculture from appropriations for forest highways such amounts as may be needed to cover necessary administrative expenses of the Forest Service in connection with the forest-highway program.

(f) Funds available for forest highways shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.

§ 205. Forest development roads and trails

(a) Funds available for forest development roads and trails shall be used by the Secretary of Agriculture to pay for the cost of construction and maintenance thereof, including roads and trails, on experimental areas under Forest Service administration. In connection therewith, the Secretary of Agriculture may enter into contracts with a State or civil subdivision thereof, and issue such regulations as he deems advisable.

(b) Cooperation of States, counties, or other local subdivisions may be accepted but shall not be required by the Secretary of Agriculture.

(c) Construction estimated to cost \$10,000 or more per mile, exclusive of bridges, shall be advertised and let to contract. If such estimated cost is less than \$10,000 per mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account. For such purpose, the Secretary of Agriculture may purchase, lease, hire, rent, or otherwise obtain all necessary supplies, materials, tools, equipment, and facilities required to perform the work, and may pay wages, salaries, and other expenses for help employed in connection with such work.

(d) Funds available for forest development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.

§ 206. Park roads and trails

(a) Funds available for park roads and trails shall be used to pay for the cost of construction and improvement thereof.

(b) Appropriations for the construction and improvement of park roads shall be administered in conformity with regulations jointly approved by the Secretary and the Secretary of the Interior.

§ 207. Parkways

(a) Funds available for parkways shall be used to pay for the cost of construction and improvement thereof.

(b) Appropriations for the construction of parkways shall be administered in conformity with regulations jointly approved by the Secretary and the Secretary of the Interior.

(c) The location of parkways upon public lands, national forests, or other Federal reservations, shall be determined by agreement between the department having jurisdiction over such lands and the Secretary of the Interior.

§ 208. Indian reservation roads

(a) Funds available for Indian reservation roads and bridges shall be used to pay for the cost of construction and improvement thereof.

(b) The Secretary shall approve the location, type, and design of all projects for Indian reservation roads and bridges before any expenditures are made thereon and all construction thereof shall be under the general supervision of the Secretary.

(c) Indian labor may be employed in such construction and improvement under such rules and regulations as may be prescribed by the Secretary of the Interior.

(d) Cooperation of States, counties, or other local subdivisions may be accepted in such construction and improvement, and any funds, received from a State, county, or local subdivision shall be

credited to appropriations available for Indian reservation roads and bridges.

§ 209. Public lands highways

(a) Funds available for public lands highways shall be used by the Secretary to pay for the cost of construction and maintenance thereof.

(b) The Secretary is authorized to cooperate with the State highway departments and with the Secretary of the Department having jurisdiction over the particular lands, in the survey, construction, and maintenance of public lands highways.

(c) The provisions of section 112 of this title are applicable to public lands highways.

§ 210. Defense access roads

(a) The Secretary is authorized, out of the funds appropriated for defense access roads, to provide for the construction and maintenance of defense access roads (including bridges, tubes, and tunnels thereon) to military reservations, to defense industries and defense industry sites, and to the sources of raw materials when such roads are certified to the Secretary as important to the national defense by the Secretary of Defense or such other official as the President may designate, and for replacing existing highways and highway connections that are shut off from the general public use by necessary closures or restrictions at military reservations and defense industry sites.

(b) Funds appropriated for the purposes of this section shall be available, without regard to apportionment among the several States, for paying all or any part of the cost of the construction and maintenance of defense access roads.

(c) Not exceeding \$5,000,000 of any funds appropriated under the Act approved October 16, 1951 (65 Stat. 422), may be used by the Secretary in areas certified to him by the Secretary of Defense as maneuver areas for such construction, maintenance, and repair work as may be necessary to keep the highways therein, which have been or may be used for training of the Armed Forces, in suitable condition for such training purposes and for repairing the damage caused to such highways by the operations of men and equipment in such training.

(d) Whenever any project for the construction of a circumferential highway around a city or of a radial intracity route thereto submitted by any State is certified by the Secretary of Defense, or such other official as the President may designate, as being important for civilian or military defense, such project may be constructed out of the funds heretofore or hereafter authorized to be appropriated for defense access roads.

(e) If the Secretary shall determine that the State highway department of any State is unable to obtain possession and the right to enter upon and use the required rights-of-way, lands, or interest in lands, improved or unimproved, required for any project authorized by this section with sufficient promptness, the Secretary is authorized to acquire, enter upon, take possession thereof, and expend funds for projects thereon, prior to approval of title by the Attorney General, in the name of the United States, such rights-of-way, lands, or interest in lands as may be required in such State for such projects by purchase, donation, condemnation, or otherwise in accordance with the laws of the United States (including the Act of February 26, 1931;

46 Stat. 1421). The cost incurred by the Secretary in acquiring any such rights-of-way, lands, or interest in lands may include the cost of examination and abstract of title, certificate of title, advertising, and any fees incidental to such acquisition; and shall be payable out of the funds available for paying the cost or the Federal share of the cost of the project for which such rights-of-way, lands, or interests in lands are acquired. The Secretary is further authorized and directed by proper deed executed in the name of the United States to convey any lands or interests in lands acquired in any State under the provisions of prior Acts or of this section to the State highway department of such State or to such political subdivision thereof as its laws may provide, upon such terms and conditions as may be agreed upon by the Secretary and the State highway department, or political subdivisions to which the conveyance is to be made.

(f) The provisions of section 112 of this title are applicable to defense access roads.

(g) If the Secretary shall determine that it is necessary for the expeditious completion of any defense access road project he may advance to any State out of funds appropriated for defense access roads transferred and available to the Department of Commerce the Federal share of the cost of construction thereof to enable the State highway department to make prompt payments for acquisition of rights-of-way, and for the construction as it progresses. The sums so advanced shall be deposited in a special fund by the State official authorized by State law to receive such funds, to be disbursed solely upon vouchers approved by the State highway department for rights-of-way which have been or are being acquired and for construction which has been actually performed under this section. Upon determination by the Secretary that funds advanced to any State under the provisions of this subsection are no longer required, the amount of the advance which is determined to be in excess of requirements for the project shall be repaid upon his demand, and such repayments shall be returned to the credit of the appropriation from which the funds were advanced.

(h) Funds appropriated for the purposes of this section shall be available to pay the cost of repairing damage caused to highways by the operation of vehicles and equipment in the construction of classified military installations and facilities for ballistic missiles if the Secretary shall determine that the State highway department of any State is, or has been, unable to prevent such damage by restrictions upon the use of such highways without interference with, or delay in, the completion of a contract for the construction of such military reservations or installations. This subsection shall apply notwithstanding any provision of contract holding a party thereto responsible for such damage, if the Secretary of Defense or his designee shall determine, in fact, that construction estimates and the bid of such party did not include allowance for repairing such damage. This subsection shall apply to damage caused by construction work commenced prior to June 1, 1961, and still in progress on that date and construction work which is commenced or for which a contract is awarded on or after June 1, 1961.

§ 211. Timber access road hearings

With respect to any proposed construction of a timber access road from funds authorized for carrying out the provisions of sections 204,

205, and 210 of this title, advisory public hearings may be held at a place of ² convenient or adjacent to the area of construction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction.

§ 212. Inter-American Highway

(a) Funds appropriated for the Inter-American Highway shall be used to enable the United States to cooperate with the Governments of the American Republics situated in Central America—that is, with the Governments of the Republic of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama—in the survey and construction of the Inter-American Highway within the borders of the aforesaid Republics, respectively. Not to exceed one-third of the appropriation authorized for each fiscal year may be expended without requiring the country or countries in which such funds may be expended to match any part thereof, if the Secretary of State shall find that the cost of constructing said highway in such country or countries will be beyond their reasonable capacity to bear. The remainder of such authorized appropriations shall be available for expenditure only when matched to the extent required by this section by the country in which such expenditure may be made. Expenditures from the funds available on a matching basis shall not be made for the survey and construction of any portion of said highway within the borders of any country named herein unless such country shall provide and make available for expenditure in conjunction therewith a sum equal to at least one-third of the expenditures that may be incurred by that Government and the United States on such portion of the highway. All expenditures by the United States under the provisions of this section for material, equipment, and supplies shall, whenever practicable, be made for products of the United States or of the country in which such survey or construction work is being carried on. Construction work to be performed under contract shall be advertised for a reasonable period by the Minister of Public Works, or other similar official, of the government concerned in each of the participating countries and contracts shall be awarded pursuant to such advertisements with the approval of the Secretary. No part of the appropriations authorized shall be available for obligation or expenditure for work on said highway in any cooperating country unless the government of said country shall have assented to the provisions of this section; shall have furnished satisfactory assurances that it has an organization adequately qualified to administer the functions required of such country under the provisions hereof; and then only as such country may submit requests, from time to time, for the construction of any portion of the highway to standards adequate to meet present and future traffic needs. No part of said appropriations shall be available for obligation or expenditure in any such country until the government of that country shall have entered into an agreement with the United States which shall provide, in part, that said country—

(1) will provide, without participation of funds authorized, all necessary rights-of-way for the construction of said highway, which rights-of-way shall be of a minimum width where practicable of one hundred meters in rural areas and fifty meters

² So in original.

in municipalities and shall forever be held inviolate as a part of the highway for public use;

(2) will not impose any highway toll, or permit any such toll to be charged, for use by vehicles or persons of any portion of said highway constructed under the provisions of this section;

(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of said highway by vehicles or persons from the United States that does not apply equally to vehicles or persons of such country;

(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with the provisions of the Convention for the Regulation of Inter-American Automotive Traffic, which was opened for signature at the Pan American Union in Washington on December 15, 1943, and to which such country and the United States are parties, or of any other treaty or international convention establishing similar reciprocal recognition; and

(5) will provide for the maintenance of said highway after its completion in condition adequately to serve the needs of present and future traffic.

(b) The survey and construction work authorized by this section shall be under the administration of the Secretary, who shall consult with the appropriate officials of the Department of State with respect to matters involving the foreign relations of this Government, and such negotiations with the Governments of the American Republics named in subsection (a) of this section as may be required to carry out the purposes of this section shall be conducted through, or as authorized by, the Department of State.

(c) The provisions of this section shall not create nor authorize the creation of any obligations on the part of the Government of the United States with respect to any expenditures for highway construction or survey heretofore or hereafter undertaken in any of the countries enumerated in subsection (a) of this section, other than the expenditures authorized by the provisions of this section.

(d) Appropriations made pursuant to any authorizations heretofore, or hereafter enacted for the Inter-American Highway shall be considered available for expenditure by the Secretary for necessary administrative and engineering expenses in connection with the Inter-American Highway program.

§ 213. Rama Road

(a) Recognizing the mutual benefits that will accrue to the Republic of Nicaragua and to the United States from the completion of the road from San Benito to Rama in said Republic of Nicaragua, the construction of which road was begun and partially completed pursuant to an agreement between said Republic and the United States, the Secretary is authorized out of the funds appropriated for such purposes to provide for the construction of such road. Appropriations made for such purposes shall remain available until expended. No expenditure shall be made hereunder for the construction of said road until a request therefor shall have been received by the Secretary of State from the Government of the Republic of Nicaragua nor until an agreement shall have been entered into by said Republic.

with the Secretary of State which shall provide, in part, that said Republic—

(1) will provide, without participation of funds authorized under this title, or under prior Acts, all necessary right-of-way for the construction of said highway, which right-of-way shall be of a minimum width, where practicable, of one hundred meters in rural areas and fifty meters in municipalities and shall forever be held inviolate as a part of the highway for public use;

(2) will not impose any highway toll, or permit any such toll to be charged for the use of said highway by vehicles or persons;

(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of said road by vehicles or persons from the United States that does not apply equally to vehicles or persons of such Republic;

(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with the provisions of the Convention for the Regulation of Inter-American Automotive Traffic, which was opened for signature at the Pan American Union in Washington on December 15, 1943, and to which such Republic and the United States are parties; or any other treaty or international convention establishing similar reciprocal recognition; and

(5) will maintain said road after its completion in proper condition adequately to serve the needs of present and future traffic.

(b) The funds appropriated for such purposes shall be available for expenditure in accordance with the terms of this section for the survey and construction of said road from San Benito to Rama in the Republic of Nicaragua without being matched by said Republic, and all expenditures made under the provisions of this section for materials, equipment, and supplies, shall, whenever practicable, be made for products of the United States or of the Republic of Nicaragua.

(c) The survey and construction work undertaken pursuant to this section shall be under the general supervision of the Secretary.

§ 214. Public lands development roads and trails

(a) *Funds available for public lands development roads and trails shall be used to pay the cost of construction and improvement of such roads and trails.*

(b) *Funds available for public lands development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.*

(c) *The Secretary shall approve the location, type, and design of all projects for public lands development roads and trails before any expenditures are made thereon and all construction thereof shall be under the general supervision of the Secretary.*

CHAPTER 3. GENERAL PROVISIONS

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§ 301. Freedom from tolls

Except as provided in section 129 of this title with respect to certain toll bridges and toll tunnels, all highways constructed under the provisions of this title shall be free from tolls of all kinds.

§ 302. State highway department

(a) Any State desiring to avail itself of the provisions of this title shall have a State highway department which shall have adequate powers, and be suitably equipped and organized to discharge to the satisfaction of the Secretary the duties required by this title. Among other things, the organization shall include a secondary road unit.

(b) The State highway department may arrange with a county or group of counties for competent highway engineering personnel suitably organized and equipped to the satisfaction of the State highway department, to supervise construction and maintenance on a county-unit or group-unit basis, for the construction of projects on the Federal-aid secondary system, financed with secondary funds, and for the maintenance thereof.

§ 303. Bureau organization

(a) The Bureau of Public Roads shall be in the Department of Commerce as a primary unit administered by the Federal Highway Administrator, appointed by the President by and with the advice and consent of the Senate. The Administrator shall receive basic compensation at the rate prescribed by law for Assistant Secretaries of executive departments and shall perform such duties as the Secretary of Commerce may prescribe or as may be required by law. There shall be a Deputy Federal Highway Administrator, who shall be appointed by the Secretary and perform such duties as may be prescribed by the Federal Highway Administrator. The Deputy Federal Highway Administrator shall receive basic compensation at a rate of \$1,000 less than the rate provided for the Federal Highway Administrator.

(b) The Secretary is authorized to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to be taken from the eligible lists of the Civil Service Commission, to rent buildings outside of the city of Washington, to purchase such supplies, material, equipment, office fixtures and apparatus, to advertise in the city of Washington for work to be performed in areas adjacent thereto, and to incur, and authorize the incurring of, such travel and other expenses as he may deem necessary for carrying out the functions under this title.

(c) The Secretary is authorized to procure temporary services in accordance with the provisions of section 15 of the Act of August 2,

1946 (5 U.S.C. 55a), but at rates for individuals not in excess of \$100 per diem.

§ 304. Participation by small business enterprises

It is declared to be in the national interest to encourage and develop the actual and potential capacity of small business and to utilize this important segment of our economy to the fullest practicable extent in construction of the Federal-aid highway systems, including the Interstate System. In order to carry out that intent and encourage full and free competition, the Secretary should assist, insofar as feasible, small business enterprises in obtaining contracts in connection with the prosecution of the highway program.

§ 305. Archeological and paleontological salvage

Funds authorized to be appropriated to carry out this title to the extent approved as necessary by the highway department of any State, may be used for archeological and paleontological salvage in that State in compliance with the Act entitled "An Act for the preservation of American antiquities", approved June 8, 1906 (34 Stat. 225), and State laws where applicable.

§ 306. Mapping

In carrying out the provisions of this title, the Secretary may, wherever practicable, authorize the use of photogrammetric methods in mapping, and the utilization of commercial enterprise for such services.

§ 307. Research and planning

(a) The Secretary is authorized in his discretion to engage in research on all phases of highway construction, modernization, development, design, maintenance, safety, financing, and traffic conditions, including the effect thereon of State laws and is authorized to test, develop, or assist in the testing and developing of any material, invention, patented article, or process. The Secretary may publish the results of such research. The Secretary may carry out the authority granted hereby, either independently, or in cooperation with any other branch of the Government, State agency, authority, association, institution, corporation (profit or nonprofit), or any other organization, or person. The funds required to carry out the provisions of this subsection shall be taken out of the administrative and research funds authorized by section 104 of this title and such funds as may be deposited in a special account with the Secretary of the Treasury for such purposes by any cooperating organization or person. The provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), shall not be applicable to contracts or agreements made under the authority of this subsection.

(b) The Secretary shall include in the highway research program herein authorized studies of economic highway geometrics, structures, and desirable weight and size standards for vehicles using the public highways and of the feasibility of uniformity in State regulations with respect to such standards and he shall report from time to time to the Committees on Public Works of the Senate and of the House of Representatives on the progress and findings with respect to such studies.

(c) (1) Not to exceed 1½ per centum of the sums apportioned for [any year] *each fiscal year prior to the fiscal year 1964* to any State

under section 104 of this title shall be available for expenditure upon request of the State highway department, with the approval of the Secretary, with or without State funds, for engineering and economic surveys and investigations, for the planning of future highway programs and the financing thereof, for studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof, and for research necessary in connection with the planning, design, construction, and maintenance of highways and highway systems, and the regulation and taxation of their use.

(2) *One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.*

(3) *In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraphs (1), (2), and (3) of section 104(b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection.*

(4) *Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.*

§ 308. Cooperation with Federal and State agencies and foreign countries

(a) The Secretary is authorized to perform by contract or otherwise, authorized engineering or other services in connection with the survey, construction, maintenance, or improvement of highways for other Government agencies, cooperating foreign countries, and State cooperating agencies, and reimbursement for such services, which may include depreciation on engineering and road-building equipment used, shall be credited to the appropriation concerned.

(b) Appropriations for the work of the Bureau of Public Roads shall be available for expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment for distribution to projects under the supervision of the Bureau of Public Roads, or for sale or distribution to other Government agencies, cooperating foreign countries,¹ and State cooperating agencies, and the cost of such supplies and materials or the value of such equipment, including the cost of transportation and handling, may be reimbursed to current applicable appropriations.

§ 309. Cooperation with other American Republics

The President is authorized to utilize the services of the Bureau of Public Roads in fulfilling the obligations of the United States under the Convention on the Pan-American Highway Between the United States and Other American Republics (51 Stat. 152), cooperating with several governments, members of the Organization of American States, in connection with the survey and construction of the Inter-American Highway, and for performing engineering service in the other American Republics for and upon the request of any agency or governmental corporation of the United States. To the extent authorized in appropriation acts, administrative funds available in accord-

ance with subsection (a) of section 104 of this title shall be available annually for the purpose of this section.

§ 310. Civil defense

In order to assure that adequate consideration is given to civil defense aspects in the planning and construction of highways constructed or reconstructed with the aid of Federal funds, the Secretary of Commerce is authorized and directed to consult, from time to time, with the Federal Civil Defense Administrator relative to the civil defense aspects of highways so constructed or reconstructed.

§ 311. Highway improvements strategically important to the national defense

Funds made available under subsection (a) of section 104 of this title may be used to pay the entire engineering costs of the surveys, plans, specifications, estimates, and supervision of construction of projects for such urgent improvements of highways strategically important from the standpoint of the national defense as may be undertaken on the order of the Secretary and as the result of request of the Secretary of Defense or such other official as the President may designate. With the consent of a State, funds made available under subsection (b) of section 104 of this title may be used to the extent deemed necessary and advisable by the Secretary to carry out the provisions of this section.

§ 312. Detail of Army, Navy, and Air Force officers

The Secretary of Defense, upon request of the Secretary, is authorized to make temporary details to the Bureau of Public Roads of officers of the Army, the Navy, and the Air Force, without additional compensation, for technical advice and for consultation regarding highway needs for the national defense. Travel and subsistence expenses of officers so detailed shall be paid from appropriations available to the Department of Commerce on the same basis as authorized by law and by regulations of the Department of Defense for such officers.

§ 313. Highway Safety Conference

The Secretary is authorized and directed to assist in carrying out the action program of the President on highway safety, and to cooperate with the State highway departments and other agencies in this program to advance the cause of safety on highways. Not to exceed \$150,000 out of the administrative funds made available in accordance with subsection (a) of section 104 of this title may be expended annually for the purposes of this section.

§ 314. Relief of employees in hazardous work

The Secretary is authorized in an emergency to use appropriations to the Department of Commerce for carrying out the provisions of this title for medical supplies, services, and other assistance necessary for the immediate relief of employees of the Bureau of Public Roads engaged in hazardous work.

§ 315. Rules, regulations, and recommendations

Except as provided in sections 204(d), 205(a), 206(b), 207(b), and 208(c) of this title, the Secretary is authorized to prescribe and promulgate all needful rules and regulations for the carrying out of the provisions of this title. The Secretary may make such recom-

recommendations to the Congress and State highway departments as he deems necessary for preserving and protecting the highways and insuring the safety of traffic thereon.

§ 316. Consent by United States to conveyance of property

For the purposes of this title the consent of the United States is given to any railroad or canal company to convey to the State highway department of any State, or its nominee, any part of its right-of-way or other property in that State acquired by grant from the United States.

§ 317. Appropriation for highway purposes of lands or interests in lands owned by the United States

(a) If the Secretary determines that any part of the lands or interests in lands owned by the United States is reasonably necessary for the right-of-way of any highway, or as a source of materials for the construction or maintenance of any such highway adjacent to such lands or interests in lands, the Secretary shall file with the Secretary of the Department supervising the administration of such lands or interests in lands a map showing the portion of such lands or interests in lands which it is desired to appropriate.

(b) If within a period of four months after such filing, the Secretary of such Department shall not have certified to the Secretary that the proposed appropriation of such land or material is contrary to the public interest or inconsistent with the purposes for which such land or materials have been reserved, or shall have agreed to the appropriation and transfer under conditions which he deems necessary for the adequate protection and utilization of the reserve, then such land and materials may be appropriated and transferred to the State highway department, or its nominee, for such purposes and subject to the conditions so specified.

(c) If at any time the need for any such lands or materials for such purposes shall no longer exist, notice of the fact shall be given by the State highway department to the Secretary and such lands or materials shall immediately revert to the control of the Secretary of the Department from which they had been appropriated.

(d) The provisions of this section shall apply only to projects constructed on a Federal-aid system or under the provisions of chapter 2 of this title.

§ 318. Highway relocation due to airport

Federal highway funds shall not be used for the reconstruction or relocation of any highway giving access to an airport constructed or extended after December 20, 1944, or for the reconstruction or relocation of any highway which has been or may be closed or the usefulness of which has been or may be impaired by the location or construction of any airport constructed or extended after December 20, 1944, unless, prior to such construction or extension, as the case may be, the State highway department and the Secretary have concurred with the officials in charge of the airport that the location of such airport or extension thereof and the consequent reconstruction or relocation of the highway are in the public interest.

§ 319. Landscaping

The construction of highways by the States with funds apportioned in accordance with section 104 of this title may include such roadside

and landscape development, including such sanitary and other facilities as may be deemed reasonably necessary to provide for the suitable accommodation of the public, all within the highway right-of-way and adjacent publicly owned or controlled rest and recreational areas of limited size and with provision for convenient and safe access thereto by pedestrian and vehicular traffic, as may be approved by the Secretary. Such construction likewise may include the purchase of such adjacent strips of land of limited width and primary importance for the preservation of the natural beauty through which highways are constructed, as may be approved by the Secretary. Not to exceed 3 per centum of such sums, apportioned to a State in any fiscal year in accordance with section 104 of this title may be used by it for the purchase of such adjacent strips of land without being matched by such State.

§ 320. Bridges on Federal dams

(a) Each executive department, independent establishment, office, board, bureau, commission, authority, administration, corporation wholly owned or controlled by the United States, or other agency of the Government of the United States, hereinafter collectively and individually referred to as "agency", which on or after July 29, 1946, has jurisdiction over and custody of any dam constructed or to be constructed and owned by or for the United States, is authorized, with any funds available to it, to design and construct any such dam in such manner that it will constitute and serve as a suitable and adequate foundation to support a public highway bridge upon and across such dam, and to design and construct upon the foundation thus provided a public highway bridge upon and across such dam. The highway department of the State in which such dam shall be located, jointly with the Secretary, shall first determine and certify to such agency that such bridge is economically desirable and needed as a link in the State or Federal-aid highway systems, and shall request such agency to design and construct such dam so that it will serve as a suitable and adequate foundation for a public highway bridge and to design and construct such public highway bridge upon and across such dam, and shall agree to reimburse such agency pursuant to subsection (d) of this section for any additional costs which it may be required to incur because of the design and construction of such dam so that it will serve as a foundation for a public highway bridge and for expenditures which it may find it necessary to make in designing and constructing such public highway bridge upon and across such dam. In no case shall the design and construction of a bridge upon and across such dam be undertaken hereunder except by the agency having jurisdiction over and custody of the dam, acting directly or through contractors employed by it, and after such agency shall determine that it will be structurally feasible and will not interfere with the proper functioning and operation of the dam.

(b) Construction of any bridge upon and across any dam pursuant to this section shall not be commenced unless and until the State in such State, shall enter into an agreement with such agency and with which such bridge is to be located,³ or the appropriate subdivision of the Secretary to construct, or cause to be constructed, with or without the aid of Federal funds, the approach roads necessary to connect

³ So in original.

such bridge with existing public highways and to maintain, or cause to be maintained, such approach roads from and after their completion. Such agreement may also provide for the design and construction of such bridge upon and across the dam by such agency of the United States and for reimbursing such agency the costs incurred by it in the design and construction of the bridge as provided in subsection (d) of this section. Any such agency is hereby authorized to convey to the State, or to the appropriate subdivision thereof, without costs, such easements and rights-of-way in its custody or over lands of the United States in its custody and control as may be necessary, convenient, or proper for the location, construction, and maintenance of the approach roads referred to in this section including such roadside parks or recreational areas of limited size as may be deemed necessary for the accommodation of the traveling public. Any bridge constructed pursuant to this section upon and across a dam in the custody and jurisdiction of any agency of the United States, including such portion thereof, if any, as may extend beyond the physical limits of the dam, shall constitute and remain a part of said dam and be maintained by the agency. Any such agency may enter into any such contracts and agreements with the State or its subdivisions respecting public use of any bridge so located and constructed as may be deemed appropriate, but no such bridge shall be closed to public use by the agency except in cases of emergency or when deemed necessary in the interest of national security.

(c) All costs and expenses incurred and expenditures made by any agency in the exercise of the powers and authority conferred by this section (but not including any costs, expenses, or expenditures which would have been required in any event to satisfy a legal road or bridge relocation obligation or to meet operating or other agency needs) shall be recorded and kept separate and apart from the other costs, expenses, and expenditures of such agency, and no portion thereof shall be charged or allocated to flood control, navigation, irrigation, fertilizer production, the national defense, the development of power, or other program, purpose, or function of such agency.

(d) Not to exceed \$13,000,000 of any money heretofore or hereafter appropriated for expenditure in accordance with the provisions of this title or prior Acts shall be available for expenditure by the Secretary in accordance with the provisions of this section, as an emergency fund, to reimburse any agency for any additional costs or expenditures which it may be required to incur because of the design and construction of any such dam so that it will constitute and serve as a foundation for a public highway bridge upon and across such dam and to reimburse any such agency for any costs, expenses, or expenditures which it may be required to make in designing and constructing any such bridge upon and across a dam in accordance with the provisions of this section, except such costs, expenses, or expenditures as would have been required of such agency in any event to satisfy a legal obligation to relocate a highway or bridge or to meet operating or other agency needs, and there is authorized to be appropriated any sum or sums necessary to reimburse the funds so expended by the Secretary from time to time under the authority of this section. Of each bridge constructed upon and across a dam under the provisions of this section, there may be financed wholly with Federal funds that portion thereof which is located within the physical limits of the masonry structure, or structures, of the dam, and

the Secretary shall in his sole discretion determine what additional portion of the bridge, if any, may be so financed, such determination to be final and conclusive. The remainder of the bridge, and any necessary related approach roads, shall be financed by the State or its appropriate subdivision with or without the aid of Federal funds; but said portion of the bridge so financed by the State or its subdivisions, including such portion thereof, if any, as may extend beyond the physical limits of the dam, shall nevertheless be designed and constructed solely by the agency having custody and jurisdiction of the dam as provided in subsection (a) of this section.

(e) In making, reviewing, or approving the design of any bridge or approach structure to be constructed under this section, the agency shall, in matters relating to roadway design, loadings, clearances and widths, and traffic safeguards, give full consideration to and be guided by the standards and advice of the Secretary.

(f) The authority conferred by this section shall be in addition to and not in limitation of authority conferred upon any agency by any other law, and nothing in this section contained shall affect or be deemed to relate to any bridge, approach structure, or highway constructed or to be constructed by any such agency in furtherance of its lawful purposes and requirements or to satisfy a legal obligation incurred independently of this section.

SUPPLEMENTAL VIEWS

We are not opposed to the enactment of H.R. 12135, for we strongly support continuation of the Federal-aid highway program. We do believe, however, that this bill should be improved by amending paragraph (b) of section 133 of title 23, United States Code, as contained in paragraph (a) of section 3 of H.R. 12135, to eliminate the present objectional provision which requires, as a condition precedent to the approval of all Federal-aid highway rights-of-way acquisition and actual construction projects, that the State highway departments must give assurances, which are satisfactory to the Secretary of Commerce, that one or more feasible methods exist for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway, and to substitute therefor a workable and realistic provision which will promote the timely relocation of displaced persons with a minimum of inconvenience to them, without materially delaying or stopping the highway program.

UNLIMITED EXECUTIVE AUTHORITY TO REQUIRE STATES TO PROVIDE FOR THE RELOCATION OF DISPLACED FAMILIES

This provision of the bill requires the Secretary of Commerce to determine whether the assurances given him by the States of the existence of one or more feasible methods for the relocation of families are satisfactory. To determine whether or not these assurances are satisfactory, the Secretary will have to either examine each separate method proposed by the States for each project to satisfy himself that such method, in fact, is "feasible" to accomplish the relocation of displaced families, or he will have to establish, by rule or regulation, the minimum criteria which all State methods must meet in order to provide assurance, to his satisfaction, that they are "feasible." The Secretary is authorized to prescribe and promulgate such rules and regulations under the existing provisions of section 315 of title 23, United States Code. However, H.R. 12135 contains no definition of "feasible methods," nor does it provide any clue as to the extent to which such "feasible methods" should go in providing for the relocation of displaced families, except that relocation advisory assistance is included in the term "feasible methods." There is nothing definite in the vague single reference in the bill to relocation advisory service to enable one to determine whether it must be provided by the States or merely that it can be. And if it is provided, the bill is silent as to whether relocation advisory assistance, alone, constitutes a "feasible method" which will be satisfactory to the Secretary or whether he may, or should, require the States to do something in addition thereto for the relocation of displaced families.

At the other extreme, as to the extent to which the Secretary may require the States to furnish every conceivable relocation need or desire of displaced families, the only limitation contained in the bill is that the Secretary shall not require a State to pay relocation payments when not authorized by State law.

Except for these two provisions, the first of which is so vague as to be meaningless, H.R. 12135 does not contain any standards or any statements of legislative intent or purpose to guide and limit the Secretary either (1) in determining whether a specific method proposed by a State is "feasible" or (2) in promulgating rules and regulations to prescribe the minimum criteria that every method must meet in order to provide assurance, to his satisfaction, that it is "feasible" for the relocation of displaced families.

It may well be that if paragraph (b) of section 133 of title 23, as contained in section 3 of this bill, is enacted into law, at some future time it will be held by the courts to be an invalid delegation of legislative functions because the standards established by the Congress are too vague and indefinite and because it confers upon the Secretary an unreasonable amount of discretionary power. It is not our purpose here, however, to argue the constitutionality of this provision, but we want to make it clear that this bill gives the Secretary carte blanche authority to impose any requirement upon the States that he wishes for the relocation of displaced families, short of requiring a State to pay relocation payments when not authorized by State law.

For example, the Secretary might require the State highway departments to include any one, or all, of the following provisions in their relocation plan to provide assurance, to his satisfaction, that it is a "feasible method" for the relocation of displaced families:

Permit owners and tenants of real property required for any Federal-aid highway project to continue to occupy the property for a specified minimum period after it has been acquired by the State or a local public agency, but in no event to require them to vacate the property until they have acquired other suitable housing.

For other housing to be considered suitable it might have to meet certain requirements, such as—

(a) Be located in areas not generally less desirable than that in which the acquired property is located.

(b) Be at least as equally available to public utilities, commercial facilities, schools, etc., as the acquired property.

(c) Be available at prices or rents within the financial means of the displaced families.

(d) Be reasonably accessible to the places of employment or the members of the displaced families.

(e) Specified types of construction, number of rooms, amount of space, utilities, appliances, etc., irrespective of whether or not it exceeds that of the acquired property.

Assist displaced families to find and acquire other suitable housing, to include:

(a) Maintaining a current listing of all properties in the area offered for sale or rent.

(b) Showing of properties.

(c) Advertising for the purchase or rental of properties.

(d) Arranging for loans.

(e) Preparing deeds, leases, contracts, etc.

(f) Searching titles or securing evidence of ownership and interests in real properties to be purchased or rented.

(g) Making or securing appraisals of the value of property to be purchased or rented.

(h) Closing of transaction.

(i) Securing insurance.

Assist in the repair, renovation, and redecorating of other suitable housing, including making all arrangements for the work to be performed, preparing necessary contracts and other instruments, arranging for loans, etc.

In the event other suitable housing is not available, to undertake or provide for the construction of public or private housing, which must be completed and available for occupancy before the displaced family is required to vacate the acquired property.

Assist in moving the displaced family to the new housing, to include:

(a) Arranging for a moving company to pack, move, and unpack the personal property of the displaced family.

(b) Prepare necessary contracts and other instruments.

(c) Obtain insurance to cover the personal property during the move.

(d) Arrange for loans to cover moving expenses.

(e) Handle claims for property lost or damaged during the moving.

(f) Arrange for transportation for members of the displaced family.

(g) Pay for the cost of moving, if authorized by State law.

Followup services, to include such things as enforcement of construction warranties and guarantees and lease provisions.

At first glance, some of the above listed requirements, and other similar ones which come to mind, may appear to be reasonable, but more considered reflection on what is involved will soon show the fallacy of saddling the Federal-aid highway program with many of these possible requirements. Most, if not all, of these possible requirements are inherent in the provisions of legislation requested by the administration on April 6, 1962 (introduced as H.R. 11199), which is the genesis of this bill, and it is reasonable to assume that the broad authority to be given to the Secretary by this bill will be exercised with no more restraint.

EFFECT UPON THE HIGHWAY PROGRAM

By enactment of the Federal-Aid Highway Act of 1956, and its subsequent amendments, the Congress is committed to completion of the National System of Interstate and Defense Highways in 1972, and the public has been repeatedly informed of the Congress' resolve that this be done. Completion of the Interstate System on schedule and continuation of improvement of the Federal-aid primary and secondary highway systems at the established levels of construction are of paramount importance to all of the people of this country. Nothing of lesser national interest should take precedence over the uninterrupted progress of this great public works program, which is essential to the economic development of the entire country and our national defense.

Enactment of paragraph (b) of section 133 of title 23, as set forth in section 3 of the bill, will subordinate the Federal-aid highway program to public housing and urban renewal projects, particularly in the more populous metropolitan areas, and can have the effect of either putting the State highway departments into the housing business or making the programs, policies, and promotional schemes of the Housing and Home Finance Agency a controlling adjunct of the highway program.

If the Secretary should require that other housing, meeting such standards, located in such areas, and available at such prices as he may prescribe, be available before he will approve a project, and if such housing is not, in fact, then available, the highway program in that particular area could come to a grinding halt. In such an event, recommencement of the highway program would have to await the construction of private or public housing. This could require that the State highway departments go into the housing business, or it could necessitate the establishment of a local housing or urban renewal agency, even where the local community does not want to establish such an agency and has, in the past, voted against its creation.

This problem is not restricted to urban areas. The very same situation can exist, and maybe more frequently, in rural areas, such as where a farm dwelling or two or three single-family residences may be acquired for rights-of-way in a sparsely populated area where no other unoccupied suitable housing exists. The Secretary could withhold approval of the highway project until some private individual or public agency constructs the required replacement housing.

This type of situation could pyramid throughout the entire country and substantially delay completion of the Interstate System well beyond the scheduled date of 1972 and could delay or prevent much needed improvement on many miles of the Federal-aid primary and secondary systems, to the detriment of all the people.

The selection of highway route locations and proposed highway improvements are often controversial, particularly in large metropolitan centers. The enactment of this objectionable provision will place an effective antihighway weapon in the hands of those who oppose a particular project, even if their opposition is motivated by purely selfish reasons. If they occupy real property required for the project, or if they can induce others who occupy such property to cooperate with them, much harassment of the State highway department and long delays in highway construction can result. The mere contention that suitable replacement housing is not available, whether or not made in good faith, could force a change in the location of a highway, or cause the delay or abandonment of a needed project, or induce a State highway department to surrender to unjustified demands, whatever they may be (such as a change in the design of the highway, allowance of additional points of access, increased payments for the purchase of their real property, etc.), so as to make it impossible for the project to proceed, all of which may be highly inimical to the public interest.

By placing the burden on the State highway departments to assure that suitable replacement housing is available, individual initiative in finding other accommodations may be stifled, and anyone desiring to delay or prevent construction of a project could effectively do so by deliberately doing nothing to find replacement housing and by refusing to accept any housing proposed by the State highway department. Even though the State may own property acquired for rights-of-way, former owners or tenants occupying such property might refuse to move and delay a project for years by merely contending that the State does not have a "feasible method" for their relocation, and, since the existence of a "feasible method" is a condition precedent to project approval, they might even resort to court action to prevent the State from going forward with a project, if for no other reason than to delay.

If the effect of this provision were not so serious, it would be ludicrous. Its unreasonableness is well illustrated by the fact that the requirement for assurance of existing "feasible methods" for relocation, including all that this term implies, is a condition precedent to the approval of every rights-of-way acquisition project, as well as those for actual construction. Obviously, no one will be displaced by the mere acquisition of rights-of-way; this occurs when the rights-of-way are cleared for construction. Under existing law, Federal funds are available for the acquisition of highway rights-of-way up to 7 years in advance of construction. Thus, families occupying property acquired for rights-of-way may not be required to vacate it for as much as 7 years; nevertheless, before the Secretary can approve the acquisition of such rights-of-way, under the provisions of this bill, the State highway department must have in existence a "feasible method" for the relocation of families who may no longer be living there when it becomes necessary to clear the rights-of-way.

PROPOSED ALTERNATIVE SOLUTION

Whenever a State acquires real property for rights-of-way of any Federal-aid highway, it must pay just compensation therefor, in which payments Federal funds participate. In addition, under the provisions of this bill, Federal funds will be eligible to reimburse a State highway department for the Federal share of the cost of relocation payments, with which we are in agreement.

We are most sympathetic to the problems and inconveniences suffered, in good faith, by some persons who are displaced as a result of highway construction. However, there have been few instances of hardships in the past, and when such have occurred, generally, they have been limited to a small number of densely populated metropolitan centers. Mr. J. C. Womack, president of the American Association of State Highway Officials, testified before the Subcommittee on Roads that practically all the States reported that this is not a problem at all and that displaced people have not been left homeless, nor seriously inconvenienced because of the highway program. There is no justification to strangle the highway program across the entire country, to the detriment of the vast majority of the people of this Nation, in an effort to remedy a situation which, at most, exists in only a few cities and affects a minimum number of people. To the extent that problems exist in the relocation of people in these particular areas, it can best be solved by the State and the local community. Federal social reform, of the kind that could result from this provision of the bill, is not needed in national highway legislation.

If people are afforded a reasonable time within which to find and move to other accommodations, they can provide for their own needs, molded to their own individual requirements and desires, far better than the Government can do. We are in complete accord with the view expressed in the committee report that rights-of-way acquisition should be scheduled at least 6 months, and longer where possible, in advance of clearing the rights-of-way, so that displaced persons will be in a position to find suitable accommodations on their own initiative. We trust that the Department of Commerce and all of the State highway departments will fully and immediately respond to this admonition of the committee and provide for sufficient leadtime between the

acquisition and the clearance of rights-of-way of all Federal-aid highway projects to permit the orderly relocation of people with a minimum of inconvenience to them.

We are also in complete agreement with the statement in the committee report that the State highway departments should make effective advisory services available for all persons to be displaced by highway projects, to help in their relocation problems. In fact, the minority offered an amendment, which was rejected by a majority of the committee, to require the State highway departments to give satisfactory assurance that relocation advisory assistance shall be provided, in lieu of the present language of the bill requiring assurance of the existence of one or more feasible methods for the relocation of families. We plan to again offer this amendment on the House floor, substantially as follows:

On page 3, line 24, strike the words "there exists one or" and on page 4, lines 1 and 2, strike the words "more feasible methods (including relocation advisory assistance)" and replace the above stricken words with the following; "relocation advisory assistance shall be provided."

By being afforded adequate time to find and move to other housing, before having to vacate property acquired for rights-of-way, and by having available relocation advisory assistance, to be furnished by the State highway departments, in addition to the payment of moving expenses now provided for in the bill, displaced families should be able to accomplish their own relocation with a minimum of inconvenience to themselves and without adversely affecting the progress of the highway program.

JAMES C. AUCHINCLOSS.
GORDON H. SCHERER.
WILLIAM C. CRAMER.
JOHN F. BALDWIN.
FRED SCHWENGEL.
EDWIN B. DOOLEY.
HOWARD W. ROBISON.
PERKINS BASS.
WALTER L. McVEY.
CARLETON J. KING.
JAMES HARVEY.
JOHN C. KUNKEL.
LOUISE G. REECE.

ADDITIONAL VIEWS OF REPRESENTATIVE HOWARD W.
ROBISON ON H.R. 12135

While I concur generally with and have joined in the supplemental views set forth above, it should be noted that numerous measures have been introduced in recent Congresses providing for various legislative extensions of the concept of "just compensation" for the taking of private property for public use, many of which have been delayed of passage in the interest of formulating a uniform Federal approach to this problem.

Certainly all of our citizens should be treated alike, and not paid varying amounts for the taking of their property depending upon which Federal agency is acquiring the same, or the Federal or federally assisted program for which it is being acquired.

In cognizance of this, the Committee on Public Works voted, on August 24, 1961, to establish a Select Subcommittee on Real Property Acquisition charged with making a nonpolitical, objective, and comprehensive study to determine whether the existing laws, practices, and procedures in the acquisition and evaluation of real property are either unfair, because of inadequate payments to the property owner, or unfair to the taxpayer, because of overpayments.

One of the subjects being explored by that subcommittee—of which I am a member—is this matter of assistance to displaced persons, including the payment of relocation costs. Regardless of the merits of adding such assistance to the highway program, our doing so at the present time will only add one more patch upon legislation which is already a model of patchwork artistry.

I must therefore express my regret that the committee has seen fit to advance this program prior to the completion of the select subcommittee's study and the consideration of its recommendations.

HOWARD W. ROBISON.

87TH CONGRESS
2D SESSION

[Report No. 1948]

JUNE 14, 1962

JUNE 28, 1962

[Omit the part struck through and insert the part printed in *italic*]

1 Federal-aid secondary system and for their extension within
2 urban areas, out of the Highway Trust Fund, \$950,000,000
3 for the fiscal year ending June 30, 1964, and \$975,000,000
4 for the fiscal year ending June 30, 1965. The sums author-
5 ized in this paragraph for each fiscal year shall be available
6 for expenditure as follows:

7 (A) 45 per centum for projects on the Federal-aid
8 primary highway system;

9 (B) 30 per centum for projects on the Federal-aid
10 secondary highway system; and

11 (C) 25 per centum for projects on extensions of
12 the Federal-aid primary and Federal-aid secondary high-
13 way systems in urban areas.

14 (2) For forest highways, \$33,000,000 for the fiscal
15 year ending June 30, 1964, and \$33,000,000 for the fiscal
16 year ending June 30, 1965.

17 (3) For forest development roads and trails, ~~and an~~
18 additional \$10,000,000 for the fiscal year ending June 30,
19 1963, \$70,000,000 for the fiscal year ending June 30, 1964,
20 and \$85,000,000 for the fiscal year ending June 30, 1965.

21 (4) For public lands development roads and trails,
22 \$2,000,000 for the fiscal year ending June 30, 1964, and
23 \$4,000,000 for the fiscal year ending June 30, 1965.

24 (5) For park roads and trails, \$22,000,000 for the

1 fiscal year ending June 30, 1964, and \$25,000,000 for the
2 fiscal year ending June 30, 1965.

3 (6) For parkways, \$16,000,000 for the fiscal year
4 ending June 30, 1964, and \$16,000,000 for the fiscal year
5 ending June 30, 1965.

6 (7) For Indian reservation roads and bridges, \$16,-
7 000,000 for the fiscal year ending June 30, 1964, and
8 \$18,000,000 for the fiscal year ending June 30, 1965.

9 (8) For public lands highways, \$3,000,000 for the
10 fiscal year ending June 30, 1964, and \$3,000,000 for the
11 fiscal year ending June 30, 1965.

12 ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

13 SEC. 3. (a) Chapter 1 of title 23 of the United States
14 Code is amended by adding at the end thereof the following
15 new section:

16 “§ 133. Relocation assistance

17 “(a) As used in this section the term ‘eligible person’
18 means any individual, family, business concern (including
19 the operation of a farm) and nonprofit organization to be
20 displaced by construction of a project.

21 “(b) The Secretary prior to his approval of any project
22 under section 106 of this title for right-of-way acquisition or
23 actual construction shall require the State highway depart-
24 ment to give satisfactory assurance that there exists one or

1 more feasible methods (including relocation advisory as-
2 sistance) for the relocation of families displaced by acqui-
3 sition or clearance of rights-of-way for any Federal-aid high-
4 way.

5 “(c) The Secretary shall approve, as a part of the cost
6 of construction of a project on any of the Federal-aid high-
7 way systems, such relocation payments as may be made by
8 a State highway department, or a local public agency act-
9 ing as an agent for the State highway department for this
10 purpose, to eligible persons for their reasonable and neces-
11 sary moving expenses caused by their displacement from
12 real property acquired for such project. However, the
13 Secretary shall not require a State to pay relocation pay-
14 ments where not authorized by State law.

15 “(d) Payments under this section shall be subject to
16 such rules and regulations as may be prescribed by the
17 Secretary, and shall not exceed \$200 in the case of an
18 individual or family, or \$3,000 in the case of a business con-
19 cern (including the operation of a farm) or nonprofit or-
20 ganization. In the case of a business (including the opera-
21 tion of a farm) and in the case of a nonprofit organization,
22 the allowable expenses for transportation under this sub-
23 section shall not exceed the cost of moving 50 miles from the
24 point from which such business or organization is being dis-

placed. Such rules and regulations may include provisions authorizing reimbursement for payments made to individuals and families of fixed amounts (not to exceed \$200 in any case) in lieu of their respective reasonable and necessary moving expenses.

“(e) This section shall apply only with respect to projects approved under section 106 of this title after the date of enactment of this section.”

(b) The analysis of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

“133. Relocation assistance.”

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

SEC. 4. (a) Section 101 of title 23, United States Code, is amended by inserting immediately after the paragraph which begins “The term ‘project agreement’ means”, the following:

“The term ‘public lands development roads and trails’ means those roads or trails which the Secretary of the Interior determines are of primary importance for the development, protection, administration, and utilization of public lands and resources under his control.”

(b) Chapter 2 of title 23 of the United States Code is

1 amended by adding at the end thereof the following new
2 section:

3 **“§ 214. Public lands development roads and trails**

4 “(a) Funds available for public lands development roads
5 and trails shall be used to pay the cost of construction and
6 improvement of such roads and trails.

7 “(b) Funds available for public lands development roads
8 and trails shall be available for adjacent vehicular parking
9 areas and for sanitary, water, and fire control facilities.

10 “(c) The Secretary shall approve the location, type,
11 and design of all projects for public lands development roads
12 and trails before any expenditures are made thereon and
13 all construction thereof shall be under the general super-
14 vision of the Secretary.”

15 (c) The analysis of chapter 2 of title 23 is amended by
16 adding at the end thereof the following:

“214. Public lands development roads and trails.”

17 **AVAILABILITY OF FUNDS—OTHER HIGHWAYS**

18 **SEC. 5.** Section 203 of title 23 of the United States Code
19 is amended by inserting immediately before the phrase “park
20 roads and trails”, at each of the two places it appears in such
21 section, the following: “public lands development roads and
22 trails,”.

1 FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN

2 AREAS

3 SEC. 6. (a) The last sentence of subsection (c) of sec-
4 tion 103 of title 23, United States Code, is amended to read
5 as follows: “This system may be located both in rural and
6 urban areas, but any extension of the system into urban
7 areas shall be subject to the condition that such extension
8 pass through the urban area or connect with another Federal-
9 aid system within the urban area.”

10 (b) The amendment made by subsection (a) of this sec-
11 tion shall apply to apportionments made before as well as
12 after the date of enactment of this Act.

13 TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

14 SEC. 7. (a) Chapter 1 of title 23, United States Code,
15 is amended by adding immediately following section 133 the
16 following new section:

17 “§ 134. Transportation planning in certain urban areas

18 “It is declared to be in the national interest to encourage
19 and promote the development of transportation systems,
20 embracing various modes of transport in a manner that
21 will serve the States and local communities efficiently and
22 effectively. To accomplish this objective the Secretary shall
23 cooperate with the States, as authorized in this title, in the

1 development of long-range highway plans and programs
2 which are properly coordinated with plans for improvements
3 in other affected forms of transportation and which are for-
4 mulated with due consideration to their probable effect on
5 the future development of urban areas of more than fifty
6 thousand population. After July 1, 1965, the Secretary
7 shall not approve under section 105 of this title any program
8 for projects in any urban area of more than fifty thousand
9 population unless he finds that such projects are based on a
10 continuing comprehensive transportation planning process
11 carried on cooperatively by States and local communities in
12 conformance with the objectives stated in this section.”

13 (b) The analysis of chapter 1 of title 23, United States
14 Code, is amended by adding at the end thereof the following:

“134. Transportation planning in certain urban areas.”

15 RURAL DELIVERY AND STAR ROUTE MILEAGE

16 SEC. 8. (a) Subsection (b) (1) of section 104 of title
17 23 of the United States Code is amended by striking out
18 “preceding fiscal year” and inserting in lieu thereof “pre-
19 ceding calendar year”.

20 (b) The amendment made by subsection (a) of this sec-
21 tion shall be applicable only with respect to apportionments
22 made after the date of enactment of this Act.

HIGHWAY PLANNING AND RESEARCH FUNDS

SEC. 9. Subsection (c) of section 307 of title 23 of the United States Code is amended by inserting “(1)” immediately after “(c)”, by striking out “any year” and inserting in lieu thereof “each fiscal year prior to the fiscal year 1964”, and by adding at the end thereof the following:

“(2) One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.

“(3) In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraphs (1), (2), and (3) of section 104 (b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection.

“(4) Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway pro-

1 gram would be best served without such ~~matching~~.
2 *matching.*”

3 “~~(5)~~ Any sums made available under paragraph ~~(2)~~
4 of this subsection to a State which are not expended at the
5 end of the period of two years after the close of the fiscal
6 year for which such sums are authorized, may, notwithstand-
7 ing section 118 of this title, be used by the Secretary for
8 highway planning and research purposes. Such sums shall
9 be in addition to those authorized for research under sub-
10 sections ~~(a)~~ and ~~(b)~~ of this section.”

11 DEFINITIONS

12 SEC. 10. For the purposes of section 2 of this Act each
13 of the following terms shall have the same meaning as is
14 given it in section 101 of title 23 of the United States Code:

- 15 (1) Forest development roads and trails;
16 (2) Forest highway;
17 (3) Indian reservation roads and bridges;
18 (4) Park roads and trails;
19 (5) Parkway;
20 (6) Public lands highways;
21 (7) Federal-aid primary system;
22 (8) Federal-aid secondary system;
23 (9) Urban area;
24 (10) Public lands development roads and trails.

Union Calendar No. 807

87TH CONGRESS
2D SESSION

H. R. 12135

[Report No. 1948]

A BILL

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

By Mr. FALCON

JUNE 14, 1962

Referred to the Committee on Public Works

JUNE 28, 1962

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued July 11, 1962
For actions of July 10, 1962
87th-2d, No. 116

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HIGHLIGHTS: Sen. Morse opposed certain proposed restrictions on employment of child labor on farms.

SENATE

1. FARM LABOR. Sen. Morse urged modification of S. 1123, restricting the employment of children in farm work, so as to permit children over 9 to perform certain handwork, and inserted several letters and other items protesting the restrictive nature of the bill. pp. 12168-74
2. PUBLIC WELFARE; MEDICAL CARE. Continued debate on H. R. 10606, to extend and improve the public assistance and child welfare services programs of the Social Security Act, and the proposed amendment to the bill by Sen. Anderson to provide a program of medical care for the aged (pp. 12176-80, 12182-94, 12213-4). Sen. Bennett inserted a statement of the Farm Bureau opposing the medical care amendment (p. 12192).
3. PERSONNEL; PROCUREMENT. The Finance Committee voted to report (but did not actually report) H. R. 12180, to extend the existing provisions of law relating to the free importation of personal and household effects brought into the U.S. by military and civilian personnel returning to the U. S. under Government orders. p. D568
without amendment
4. VETERANS LOANS. The Labor and Public Welfare Committee reported S. 3024, to extend the maximum maturity of Veterans' Administration guaranteed or insured loans from 30 to 35 years (S. Rept. 1689). p. 12152

5. WATER RESOURCES. Received from the Corps of Engineers "an interim report on the water quality study, Arkansas-Red River Basins" (S. Doc. 105). p. 12156
6. INFORMATION; FAIRS. Sen. Javits urged settlement of the appropriations dispute between the two Houses in order that funds may be made available for construction of the Federal pavilion at the New York World's Fair. pp. 12157-8
7. EXPENDITURES. Sen. Lausche expressed pleasure "that the General Accounting Office is giving cold, hard scrutiny to the practice of Federal department and agencies engaging in 11th hour spending orgies in order to beat the fiscal year deadlines," and inserted an article on the matter. p. 12160
8. ELECTRIFICATION. Sen. Gruening inserted and commended a resolution adopted by the American Public Power Association urging a program of hydroelectric development in Alaska and supporting construction of the Crater-Long Lakes division of the Snettisham project and the Bradley Lake project. pp. 12161-2
Sen. Morse discussed the development of hydroelectric projects in the Northwest, predicted the eventual construction of a Hells Canyon dam, and inserted several items on power development in the Northwest. pp. 12165-7
9. NOMINATION; RESEARCH. Received the nomination of Jerome B. Wiesner to be Director of the Office of Science and Technology. p. 12214

HOUSE

10. ROADS. The Rules Committee granted an open rule on H. R. 12135, the proposed Federal-Aid Highway Act of 1962. p. D569
11. PATENTS. The Rules Committee granted an open rule on H. R. 10966, to fix the fees payable to the Patent Office. p. D569
12. VIRGIN ISLANDS; NATIONAL PARKS. The Subcommittee on National Parks of the Interior and Insular Affairs Committee voted to report to the full committee with amendment S. 2429, to revise the boundaries of the Virgin Islands National Park. p. D569

ITEMS IN APPENDIX

13. RECREATION. Extension of remarks of Sen. Neuberger inserting a policy statement by Dr. Edward C. Crafts, Director of the Interior Department's Bureau of Outdoor Recreation, which asserts that the Bureau is not "another National Park Service or another Forest Service." pp. A5223-4
14. YOUTH CONSERVATION CORPS. Extension of remarks of Rep. Halpern inserting a resolution of the Textile Workers Union praising H. R. 10682 and S. 404 which would establish a Youth Conservation Corps. pp. A5224-5.
15. TOBACCO. Extension of remarks of Rep. Sikes inserting two articles on the production of Fire-cured Florida cigar wrapper. pp. A5226-7
16. FOREST PRODUCTS. Extension of remarks of Rep. Pelly inserting a letter from a lumberman stating it was necessary to close down a sawmill because of Canadian competition. p. A5229.
17. DAIRY PRODUCTS. Extension of remarks of Sen. Wiley inserting excerpts from his radio address stressing the need to expand research on the industrial use of dairy products. p. A5229.
Extension of remarks of Rep. Johnson inserting an editorial criticizing the

House of Representatives

Chamber Action

The House was not in session today. Its next meeting will be held on Wednesday, July 11, at 12 o'clock noon, when H.R. 11921, the foreign aid authorization bill, will be further considered.

Committee Meetings

GENERAL FARM BILL

Committee on Agriculture: Met in executive session on H.R. 12391 (a clean bill introduced in lieu of H.R. 12266), the general farm bill.

BANKING

Committee on Banking and Currency: Held a hearing on H.R. 12080, to permit domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors. Heard testimony from Robert V. Roosa, Under Secretary for Monetary Affairs, Treasury Department.

D.C. MUNICIPAL COURT

Committee on the District of Columbia: Special subcommittee concluded hearings on H.R. 12202, to increase the jurisdiction of the municipal court for D.C. in civil actions, and to change the name of the court. Heard testimony from Federal and D.C. court officials, a D.C. Corporation Council representative; and a public witness.

NATIONAL PARKS

Committee on Interior and Insular Affairs: Subcommittee on National Parks heard testimony from departmental and public witnesses on H.R. 11165, 11166, 11167, 11168, 11169, 11170, and 11171, to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and to provide financial assistance to the States for outdoor recreation planning.

Also ordered reported favorably to the full committee S. 2429 (amended), to revise the boundaries of the Virgin Islands National Park, St. John, V.I.

TRANSPORTATION

Committee on Interstate and Foreign Commerce: Held a hearing on H.R. 11583, to exempt certain carriers from minimum rate regulation in the transportation of bulk commodities, agricultural and fishery products, and passengers; and H.R. 11584, to provide for the strengthening and improving the national transportation system. Heard testimony from Rupert L. Murphy, Chairman, Interstate Commerce Commission. Hearings continue Wednesday, July 11.

CONGRESSIONAL DISTRICTS

Committee on the Judiciary: Subcommittee No. 5 met in executive session and ordered reported favorably to the full committee H.R. 4068 (amended), to require the establishment of congressional districts composed of contiguous and compact territory for the election of Representatives.

OCEANOGRAPHY

Committee on Merchant Marine and Fisheries: Met in executive session to consider pending matters. No announcements were made.

FEDERAL PAY RAISE

Committee on Post Office and Civil Service: Continued hearings on Federal pay increase legislation. Heard testimony from J. Edward Day, Postmaster General. Hearings continue Wednesday, July 11.

FEDERAL-AID HIGHWAY PROGRAM

Committee on Public Works: Special Subcommittee on Federal-Aid Highway Program began hearings on right-of-way acquisition practices in West Virginia. Heard testimony from a General Accounting Office official; and public witnesses.

FEDERAL-AID HIGHWAY ACT

Committee on Rules: Granted an open rule, with 2 hours of debate, on H.R. 12135, the Federal-Aid Highway Act.

Representatives Fallon, Scherer, and Baldwin were heard on the request for a rule.

PATENT OFFICE FEES

Committee on Rules: Granted an open rule, with 1 hour of debate, on H.R. 10966, to fix the fees payable to the Patent Office.

Heard on the request for a rule were Representatives Willis and Lindsay.

Joint Committee Meetings

HANFORD GENERATING FACILITIES

Joint Committee on Atomic Energy: Committee held hearings to consider a utility district proposal to construct and operate electric generating facilities to the Hanford, Wash., reactor plant, receiving testimony from Robert E. Wilson, Commissioner, A. R. Luedecke, General Manager, and other officials of the Atomic Energy Commission.

Hearings continue tomorrow.

U.S. ECONOMY

Joint Economic Committee: Subcommittee on Economic Stabilization, Automation, and Energy Resources

continued its hearings on the effects of inventory fluctuations on business recessions, prosperity, and growth in the U.S., receiving testimony from John P. Lewis, professor, Indiana University; Martin R. Gainsbrugh, National Industrial Conference Board; Nat Weinberg, United Auto Workers Union, AFL-CIO; and Louis J. Paradiso, Department of Commerce, all of whom discussed the role of inventories in cyclical reversals.

Hearings continue tomorrow.

BILL SIGNED BY THE PRESIDENT

New Law

(For last listing of public laws, see DIGEST, p. D556, July 5, 1962)

H.R. 9822, to grant national forest status to certain lands acquired under the exchange provisions of the Taylor Grazing Act. Signed July 9, 1962 (P.L. 87-524).

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 11

(All meetings are open unless otherwise designated)

Senate

Committee on Appropriations, subcommittee, on H.R. 12276, fiscal 1963 appropriations for the D.C., 10 a.m., room F-39, Capitol.

Committee on Commerce, Aviation Subcommittee, executive, on S. 2815, extending power of the CAB to guarantee aircraft purchase loans, 9:30 a.m., 5112 New Senate Office Building.

Full committee, executive, on committee business, 10 a.m., 5112 New Senate Office Building.

Communications Subcommittee, on bills relating to equal broadcast time for political candidates during future campaigns, 10 a.m., 5110 New Senate Office Building.

Committee on Finance, executive, on H.R. 10650, Internal Revenue Act amendments, 10 a.m., 2221 New Senate Office Building.

Committee on Government Operations, Permanent Subcommittee on Investigations, to resume its hearings on the matter of the Department of Agriculture-Billie Sol Estes, 10:30 a.m., 318 Old Senate Office Building.

Committee on the Judiciary, Antitrust and Monopoly Subcommittee, to resume its hearings on S. 3097, to impose a temporary moratorium on railroad mergers, 10 a.m., 1318 New Senate Office Building.

Subcommittee, on the nomination of Irving Ben Cooper, to be U.S. district judge for the southern district of New York, 10:30 a.m., 2228 New Senate Office Building.

Subcommittee, on the nomination of Edward C. McLean, to be U.S. district judge for the southern district of New York, 10:30 a.m., 2300 New Senate Office Building.

Committee on Rules and Administration, executive, on committee business, 10 a.m., 301 Old Senate Office Building.

House

Committee on Agriculture, executive, on H.R. 12391, the general farm bill, 10 a.m., 1310 New House Office Building.

Committee on Appropriations, Subcommittee on State, Justice, and Judiciary, executive, 10 a.m., 323, east front, U.S. Capitol Building.

Subcommittee on Foreign Operations, executive, 10 a.m., 320, east front, U.S. Capitol Building.

Committee on Banking and Currency, Subcommittee on Housing, on H.R. 11877 and 12348, re housing for the elderly, 10 a.m., 1301 New House Office Building.

Committee on the District of Columbia, executive, on pending business, 10 a.m., 445-A Old House Office Building.

Committee on Interior and Insular Affairs, on H.R. 11172, and related bills, to provide for the establishment of a land conservation fund, 9:45 a.m., 1324 New House Office Building.

Committee on Interstate and Foreign Commerce, on H.R. 11583 and 11584, re transportation, 10 a.m., 1334 New House Office Building.

Committee on the Judiciary, Subcommittee No. 2, on private claim bills, 10 a.m., 327 Old House Office Building.

Committee on Merchant Marine and Fisheries, Subcommittee on Fisheries and Wildlife Conservation, on H.R. 10714, 11525, 11535, and 12144, re wildlife refuges, 10 a.m., 219 Old House Office Building.

Committee on Post Office and Civil Service, on Federal employees' pay legislation, 10 a.m., 215 Old House Office Building.

Committee on Public Works, Special Subcommittee on Federal-Aid Highway Program, on right-of-way acquisition practices in West Virginia, 10 a.m., 1302 New Office Building.

Committee on Science and Astronautics, hearings on transportation (Hovercraft), 10 a.m., 214-B New House Office Building.

Committee on Un-American Activities, subcommittee to resume hearings on the dissemination of Soviet propaganda in the U.S., 10 a.m., caucus room, Old House Office Building.

Joint Committees

Joint Committee on Atomic Energy, to continue consideration of a utility district proposal to construct electric generating facilities to the Hanford, Wash., reactor plant, 10 a.m., room AE-1, Capitol.

Joint Economic Committee, Subcommittee on Economic Stabilization, Automation, and Energy Resources, on the effects of inventory fluctuations on business recessions, prosperity, and growth in the U.S., 10 a.m., 304 Old House Office Building.

Conferees, executive, on S. 2970, to amend the Small Business Act to provide that interest and repayments of loans to be paid into the revolving fund, 2 p.m., room EF-100, Capitol.



Congressional Record

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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

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Issued July 12, 1962

For actions of July 11, 1962

87th-2d, No. 117

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HIGHLIGHTS: House debated foreign aid bill. Rep. Cooley expressed concern over effect of European Common Market on domestic agriculture. Rep. Kornegar urged two-price cotton program for domestic textile industry. Rep. Westland urged relief for Northwest lumber industry. Rep. Clem Miller introduced and discussed bill to permit use of lumber tariff revenues for research.

HOUSE

1. FOREIGN AID. Continued debate on H. R. 11921, the foreign aid authorization bill. pp. 12217-72, 12285, 12285-6

Agreed to the following amendments:

By Rep. Wright, to express the sense of Congress that in providing foreign assistance priority should be given to certain programs, including loans or loan guarantees for the purchase of small farms. pp. 12237-9

By Rep. Halpern, to express the sense of Congress that in providing foreign assistance primary consideration should be given to countries that do not divert their economic resources to Communist military or propaganda efforts directed against the U. S. and its allies. pp. 12239-40

By Rep. Gross, 124 to 112, to provide that appropriated funds may not be used for loans or grants to the United Nations until all members of the U. N. have paid their full share of the expenses of that organization. pp. 12255-6

Rejected the following amendments:

By Rep. Gross, to strike out a provision authorizing the President to furnish assistance on such terms and conditions as he determines to promote the economic development of Latin American countries. p. 12246

By Rep. Jones, Mo., to provide that the U. S. contribution to any special or cooperative fund of any international organization or program may not exceed 50 percent of the total amount contributed for such purpose. p. 12255

2. FOREIGN TRADE. Rep. Cooley expressed concern over the possible effects of the European Common Market on domestic agriculture and inserted an address by the Deputy Assistant Secretary for Trade Policy, Department of Commerce, "United States Agriculture and the European Common Market." pp. 12280-3
Rep. Kornegay inserted and commended an editorial stating "Now that the House has passed President Kennedy's trade bill, there is even less reason why the U. S. Tariff Commission should hold up on relieving the American textile industry of the ridiculous burden on two-price cotton." pp. 12297-8
Rep. Lane commended the President's proposed foreign trade bill and inserted an editorial, "Toward Freer Trade." p. 12276
3. FORESTRY. Rep. Westland expressed concern over decreasing shipments of lumber from the Northwest to the Atlantic coast and urged repeal of the law "which prevents our shippers from using foreign bottoms." p. 12277
4. ELECTRIFICATION. Rep. Saylor criticized efforts to revive "the multimillion-dollar Hanford electric steamplant boondoggle." pp. 12319-20
5. ROADS. The Rules Committee reported a resolution for consideration of H. R. 12135, the proposed Federal-Aid Highway Act of 1962. p. 12321
6. PATENTS. The Rules Committee reported a resolution for consideration of H. R. 10966, to fix the fees payable to the Patent Office. p. 12321
7. SMALL BUSINESS. The "Daily Digest" states that conferees agreed to file a conference report on S. 2970, to increase the revolving fund of the Small Business Administration. p. D575
8. APPROPRIATIONS. Rep. Joelson urged an end to the appropriations dispute between the Appropriations Committees. p. 12216
9. COTTON; GAO. Rep. Patman commended the service of Joseph Campbell, Comptroller General of the U. S., and inserted an article discussing GAO investigations, including the sale of surplus cotton. pp. 12279-80
10. LAND-GRANT COLLEGES. Rep. Curtis commended the land-grant colleges on their 100th anniversary. p. 12295
11. RESEARCH. Received from Interior its annual report on grants made during calendar year 1961 to nonprofit institutions and organizations for support of scientific research programs. p. 12320
12. WATERSHEDS. Received from Budget Bureau plans for works of improvement on the following watersheds: South Sumter upper Tampa Bay, Fla.; Line Creek, Ky., and Tenn.; North Branch Mill Creek, Mich.; Nanticoke Creek, N. Y.; Dicks Creek, Little Muddy Creek, Ohio; Bajura, P. R.; and Kent Creek, Tex. (to Agriculture

CONSIDERATION OF H.R. 12135

JULY 11, 1962.—Referred to the House Calendar and ordered to be printed

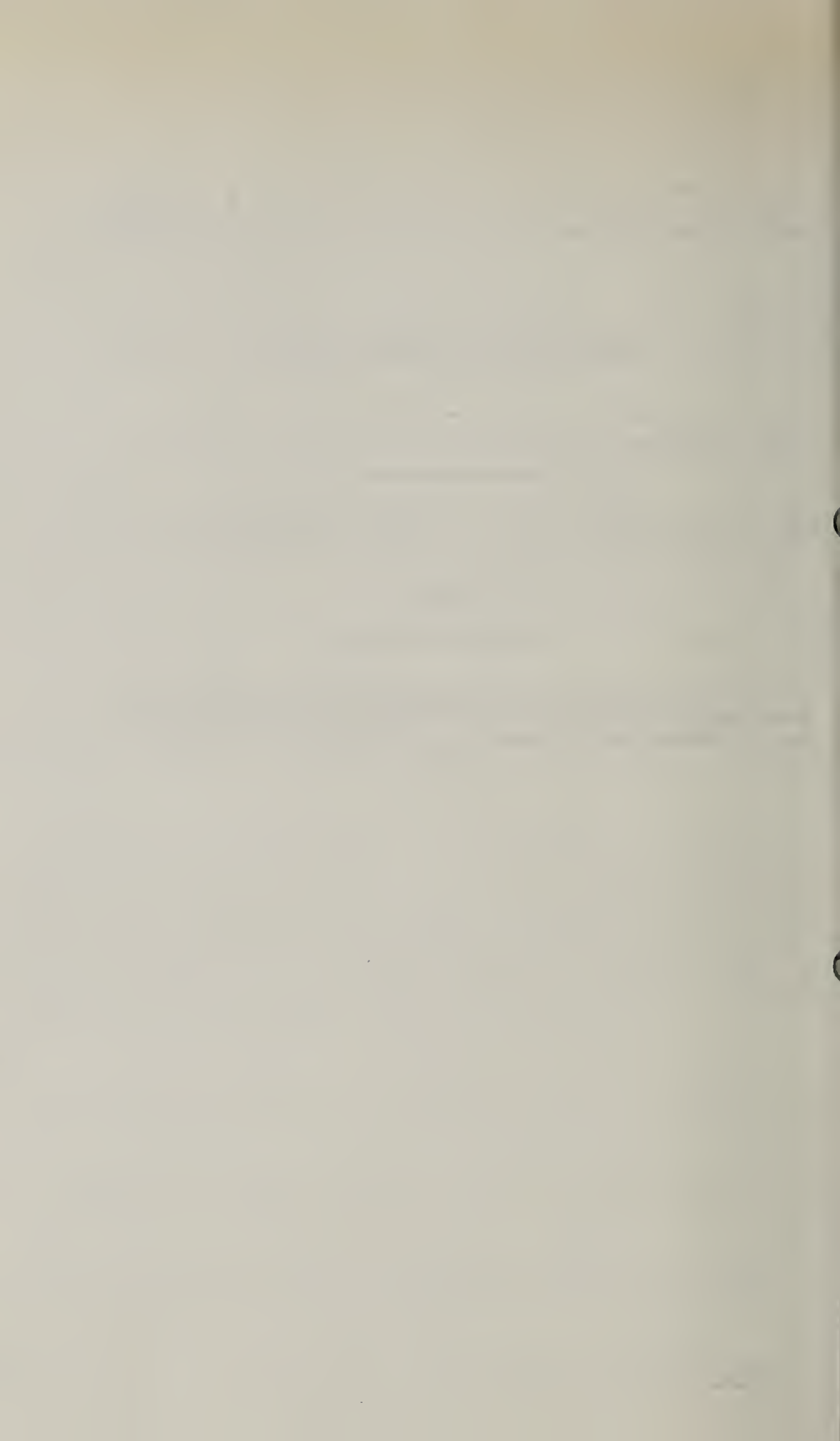
Mr. MADDEN, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 723]

The Committee on Rules, having had under consideration House Resolution 723, report the same to the House with the recommendation that the resolution do pass.





House Calendar No. 275

87TH CONGRESS
2^D SESSION

H. RES. 723

[Report No. 1972]

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 1962

Mr. MADDEN, from the Committee on Rules, reported the following resolution;
which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the State of the Union
4 for the consideration of the bill (H.R. 12135) to authorize
5 appropriations for the fiscal years 1964 and 1965 for the
6 construction of certain highways in accordance with title 23
7 of the United States Code, and for other purposes. After
8 general debate, which shall be confined to the bill, and shall
9 continue not to exceed two hours, to be equally divided and
10 controlled by the chairman and ranking minority member of
11 the Committee on Public Works, the bill shall be read for
12 amendment under the five-minute rule. At the conclusion

1 of the consideration of the bill for amendment, the Com-
2 mittee shall rise and report the bill to the House with such
3 amendments as may have been adopted, and the previous
4 question shall be considered as ordered on the bill and
5 amendments thereto to final passage without intervening
6 motion except one motion to recommit.

House Calendar No. 275

87TH CONGRESS
2^D Session

H. RES. 723

[Report No. 1972]

RESOLUTION

Providing for the consideration of H.R. 12135,
a bill to authorize appropriations for the
fiscal years 1964 and 1965 for the construc-
tion of certain highways in accordance with
title 23 of the United States Code, and for
other purposes.

By Mr. MADDEN

JULY 11, 1962

Referred to the House Calendar and ordered to be
printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued July 19, 1962
For actions of July 18, 1962
87th-2d, No. 122

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HIGHLIGHTS: Senate passed rice enrichment bill. House passed road authorization bill. House Rules Committee cleared new farm bill. Sen. Morse and Rep. Dent urged aid for lumber industry. Sens. Javits and Keating urged drought relief for N. Y. Sen. Humphrey commended McGovern on food-for-peace program. Appropriations committee agreed on temporary procedures. Rep. Beckworth inserted replies to his request for CCC loan information. Rep. Van Zandt inserted article commending defeat of farm bill.

SENATE

1. RICE. Passed as reported S. 3152, to provide for the nutritional enrichment and sanitary packaging of rice prior to its distribution under certain Federal programs, including the school lunch program. pp. 13019-20
2. LABOR-HEN APPROPRIATION BILL. Began debate on this bill, H. R. 10904, agreeing to a Mansfield amendment to increase from \$50 million to \$75 million the item for manpower development and training. pp. 12987, 12990-020, 13023-6
3. DROUGHT RELIEF. Sens. Javits and Keating urged prompt USDA approval of Gov. Rockefeller's request for drought relief in N. Y. pp. 12957, 12960
4. FOOD FOR PEACE. Sen. Humphrey commended the work of George McGovern as director of the food for peace program and inserted Mr. McGovern's address before the World Food Forum. pp. 12987-90

5. APPROPRIATIONS PROCEDURES. The Daily Digest states that the joint House-Senate committee studying appropriations procedures adopted the following:

"Each branch of Congress in conference has group autonomy. The selection of the conference chairman is procedural for orderly functioning of the conference. Realizing this, the question of the selection of the conference chairman for the present session of Congress shall be left to the decision of the two subcommittee chairmen.

"It is agreed by the joint committee on behalf of the full Committees on Appropriations of the Senate and House of Representatives that for this session only the subcommittee chairmen of each body shall decide who shall act as chairman of the conference. It is further agreed that the chairmen of the Senate and House Committees on Appropriations appoint representatives of each committee to serve as a joint committee to study all the issues involved and report in January 1963 their recommendations."

6. NOMINATION. Confirmed the nomination of Jerome B. Wiesner to be Director of the Office of Science and Technology. p. 12953
7. CLAIMS. Received a USDA report on tort claims paid during the fiscal year 1962. p. 12954
8. FOREIGN AID. Sen. Wiley replaced Sen. Capehart as a conferee on S. 2996, the foreign-aid authorizations bill. pp. 12954-5
9. IMPORTS. Sen. Morse urged relief from Canadian lumber imports into the U. S. and inserted his testimony before the Commerce Committee on this matter. pp. 12958-60
- Passed with amendments H. R. 12180, to extend until July 1, 1964, the law relating to free importation of personal and household effects brought into the U. S. under Government orders. pp. 12982-3
10. RETIREMENT. The Retirement Subcommittee of the Post Office and Civil Service Committee approved with amendments S. 3164, to increase the maximum age for receiving benefits under the Civil Service Retirement Act in the case of certain students, and S. 2937, to increase civil service retirement annuities. p. D602
11. COMMITTEE ASSIGNMENTS. Transfers between committees were made as follows: Sen. Case, N. J., from Commerce to Armed Services. Sen. Prouty from Public Works to Commerce. Sen. Murphy from Interior and Insular Affairs to Public Works. Sen. Pearson from Rules and Administration to Public Works. Sen. Bottum assigned to Interior and Insular Affairs and Rules and Administration. p. 12954

HOUSE

12. FARM PROGRAM. The Rules Committee reported a resolution for consideration of H. R. 12391, the new farm bill. p. 13108
13. ROADS. Passed with amendments H. R. 12135, to provide authorizations for roads for the fiscal years 1964 and 1965. In addition to the committee amendments, agreed to (236-159) a Baldwin amendment to require State highway departments to provide relocation advisory assistance to families displaced by right-of-way acquisitions. Rep. Ullman commended the provisions for forest roads and inserted tables showing the program for this item (pp. 13054-9). The bill includes an authorization of ^{additional} \$33 million for forest highways for each of the two years and \$10 million for 1963, \$70 million for 1964, and \$85 million for 1965 for forest development roads and trails. pp. 13043-71

Hull	Montoya	Rogers, Fla.
Ichord, Mo.	Moorhead, Pa.	Rooney
Knouye	Morgan	Roosevelt
Jarman	Morris	Rosenthal
Jennings	Morrison	Rostenkowski
Joelson	Moss	Roush
Johnson, Calif.	Multer	Rutherford
Johnson, Md.	Murphy	Ryan, Mich.
Johnson, Wis.	Natcher	Ryan, N.Y.
Jones, Ala.	Nedzi	Santangelo
Jones, Mo.	Nix	Shelley
Karsten	Norrell	Sheppard
Karth	O'Brien, Ill.	Shipley
Kastenmeier	O'Brien, N.Y.	Sikes
Kee	O'Hara, Ill.	Slack
Kelly	O'Hara, Mich.	Smith, Miss.
Keogh	Olsen	Smith, Va.
King, Calif.	O'Neil	Staggers
King, Utah	Passman	Steed
Kirwan	Patman	Stratton
Kluczynski	Perkins	Stubblefield
Kowalski	Peterson	Sullivan
Lane	Pfost	Thomas
Lankford	Philbin	Thompson, N.J.
Lesinski	Pike	Thompson, Tex.
Loser	Plicher	Thornberry
McDowell	Powell	Toll
McFall	Price	Trimble
Macdonald	Pucinski	Udall, Morris K.
Mack	Rains	Ullman
Madden	Randall	Vanik
Magnuson	Reuss	Vinson
Mahon	Rhodes, Pa.	Watts
Marshall	Riley	Wickersham
Matthews	Rivers, Alaska	Wright
Miller, Clem	Rivers, S.C.	Young
Mills	Roberts, Ala.	Zablocki
Moeller	Rodino	Zelenko
Monagan	Rogers, Colo.	

NOT VOTING—33

Alford	Hébert	Saund
Blitch	Hoffman, Mich.	Scranton
Boggs	Laird	Sisk
Bolton	McSween	Spence
Boykin	Mailliard	Taber
Curtis, Mass.	May	Thompson, La.
Davis, Tenn.	Merrow	Williams
Flood	Miller	Willis
Frazier	George P.	Winstead
Garland	Moulder	Yates
Gubser	Rousselot	
Harrison, Va.	St. Germain	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Winstead for, with Mr. Hébert against.

Mr. Williams for, with Mr. Willis against.

Mr. Scranton for, with Mr. Davis of Tennessee against.

Mrs. May for, with Mr. Frazier against.

Mr. Rousselot for, with Mr. Boggs against.

Mr. Curtis of Massachusetts for, with Mr. George P. Miller against.

Mrs. Bolton for, with Mr. Sisk against.

Mr. Merrow for, with Mr. Spence against.

Mr. Laird for, with Mr. Flood against.

Mr. Gubser for, with Mr. St. Germain against.

Mr. Mailliard for, with Mr. Yates against.

Mr. Garland for, with Mr. Saund against.

Mr. Harrison of Virginia for, with Mr. Moulder against.

Until further notice:

Mr. McSween with Mr. Taber.

Mr. Thompson of Louisiana with Mr. Hoffman of Michigan.

Mr. FALLON changed his vote from "yea" to "nay."

Mr. CAREY changed his vote from "yea" to "nay."

Mr. MORSE changed his vote from "nay" to "yea."

Mr. POWELL changed his vote from "yea" to "nay."

Mr. SANTANGELO changed his vote from "yea" to "nay."

Mr. HERLONG changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Was the vote by which the motion to recommit carried reconsidered and that motion laid on the table?

The SPEAKER. It has not been yet.

Mr. GROSS. I so move, Mr. Speaker.

The SPEAKER. Without objection the motion to reconsider will be laid on the table.

There was no objection.

BILL RESTORED TO PRIVATE CALENDAR

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent that notwithstanding the action taken in the House yesterday the bill, S. 2147, be restored to the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that the Subcommittee on the Library of the Committee on House Administration be permitted to sit during general debate tomorrow afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

FEDERAL-AID HIGHWAY ACT OF 1962

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 723 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MADDEN asked and was given permission to revise and extend his remarks.)

Mr. MADDEN. Mr. Speaker, House Resolution 723 provides for the consideration of H.R. 12135, a bill to authorize appropriations for the fiscal years 1964

and 1965 for the construction of highways in accordance with title 23 of the United States Code, and for other purposes. The resolution provides for an open rule with 2 hours of general debate.

H.R. 12135 provides for the usual biennial authorizations for fiscal years 1964 and 1965 for the A B C Federal-aid highway program, as well as authorizations for these fiscal years for the several classes of Federal domain roads. It is essential that funds be authorized for these fiscal years for the Federal-aid primary and secondary highways systems and their extensions within urban areas in order that the States may have sufficient time for planning their individual road construction programs, including any financing procedures necessary to provide the required State matching funds under the Federal-aid highway program.

It is essential that these authorizations be made at this time so that in 1964 and 1965, work can continue on the national highway construction program. Plans, construction, drawings, financing procedures in the various States and the preliminary work on mammoth highway construction projects of this type takes considerable time; hence, the enactment of this legislation is necessary in order to keep our national highway construction program for future years up to schedule.

The Federal-aid highways which would be aided by this bill extend into every county of the United States. The present extent of the Federal-aid primary system is 224,860 miles, exclusive of Interstate System mileage, of which 205,370 miles are in rural areas and 19,490 miles are in urban areas. The Federal-aid secondary system at this time consists of 601,364 miles, including 587,659 rural miles and 13,705 urban miles. At the present time, therefore, the total mileage of highways covered under the A B C program is over 826,000 miles, carrying almost half of the total of all highway traffic in the Nation.

These funds would be apportioned among the States in the manner now provided by law, and would be available for expenditure in the same manner as funds for these highways are made available under present law, that is, for 2 years after the close of the fiscal year for which such funds are authorized.

The continuance of this Federal highway program without interruption will mean a great deal to our national economy. Construction of highways calls for tons and tons of steel, cement, brick, lumber, and dozens of other materials which keeps factories running and salaries expanded so that prosperity can continue in all sections of our Nation. First-class highways connecting all producing areas of our country will aid greatly not only to accommodate our increased population but provide transportation for defense in cases of national emergency.

Mr. Speaker, I urge the adoption of House Resolution 723.

Mr. Speaker, I reserve the balance of my time and now yield 30 minutes to the gentleman from Ohio [Mr. Brown].

Mr. BROWN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BROWN asked and was given permission to revise and extend his remarks.)

Mr. BROWN. Mr. Speaker, as the gentleman from Indiana [Mr. MADDEN], a member of the Rules Committee, has so well explained, House Resolution 723 makes in order, under 2 hours of general debate and an open rule, the consideration of the bill (H.R. 12135) a bill authorizing appropriations for highway construction, aid and benefits under the Federal highway program, both the Interstate System and the A B C system as well.

It is my understanding this bill is supported by all members of the Public Works Committee. Practically all of the appropriations authorized hereunder come from the highway trust fund. A portion of the funds authorized in this bill are, however, appropriated from general revenue funds for Federal forest roads, public park roads, and so forth. But the great percentage of the money involved in this legislation does come from the Federal highway trust fund.

The only dispute, the only controversy of any kind, regarding this legislation deals with section 3 of the bill. I suggest the membership will want to study that section because it is a new provision, as far as highway aid and benefits of a Federal nature are concerned. It would provide for the payment of certain sums to families or to business concerns that might have to move because of relocation of a highway under a Federal highway program.

Mr. Speaker, the dispute is not over the question as to whether or not the Federal Government, or the States, should pay some of the cost of relocating these people who might otherwise be forced out of their homes or business places because of new highway construction, but rather as to whether or not the Secretary of Commerce should be given complete power to decide for himself as to whether or not any plans that might be adopted to care for the relocation of these people are satisfactory.

In other words, as I read the language of this particular section, as contained in the committee bill, the Secretary of Commerce could decide he was not happy or satisfied over one of these plans for relocation of these displaced persons or businesses in any highway construction program, and could thus hold up such highway construction indefinitely, just as long as he could say: "I can't approve the relocation arrangement that has been suggested by the State or other highway authorities." And, I think that is where all the conflict and controversy will arise.

I understand the minority members of the Committee on Public Works have been unanimous in asking for an amendment that will clarify this situation so as to leave the final decision or authority more with the State highway officials, and more with other highway officials, and not place such extraordinary and unusual power in the hands of the Secretary of Commerce.

And, it is my understanding, Mr. Speaker, there will be an amendment submitted for that purpose, not to strike out or destroy section 3, or the purposes of the section to pay the cost of relocating these people who must be relocated because of the construction of a new highway or anything of that sort, but, rather, to limit the power of Federal bureaucracy to control the situation entirely and instead to place more responsibility with the local and State highway officials or, perhaps, with the Bureau of Public Roads itself, as far as that is concerned. I believe the amendment that is to be offered is a very good one and should be given consideration.

Mr. Speaker, I now yield to the gentleman from Wisconsin [Mr. BYRNES] 5 minutes.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, since the vote in the other body on yesterday on the medical care bill we have read in the papers and have seen on the news ticker a great deal of talk about obstructionism. We have heard about "the handful" of Democrats who joined with the Republicans in defeating this proposal in the other body. We even hear rumors of purges.

Mr. Speaker, I think it would be well, however, if we put this matter into proper perspective and look and see who some of these obstructionists are and look to see who this "handful" of Democrats, that the President referred to, are who joined with the Republicans. It so happens that they included, first, the chairman of the Committee on Aeronautics and Space Science; second, the chairman of the Committee on Agriculture and Forestry; third, the chairman of the Committee on Appropriations, and the president pro tempore; fourth, the chairman of the Committee on Armed Services; fifth, the chairman of the Committee on Banking and Currency; sixth, the chairman of the Committee on Finance; seventh, the chairman of the Committee on Foreign Relations; eighth, the chairman of the Committee on Government Operations; ninth, the chairman of the Committee on the Judiciary; and tenth, the chairman of the Labor and Public Welfare Committee of the other body.

It includes also five out of the nine members of the Democratic policy committee of the other body. It includes in addition the secretary of the Democratic conference of the other body who, I am also informed, is the very close friend of the President and was an usher at the President's wedding. So, it seems to me that when we start talking about purges or start talking about obstructionism we had better look and see about whom we are talking.

Mr. BROWN. Mr. Speaker, I have no further requests for time.

Mr. MADDEN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Speaker, I would like to ask the gentleman from Wisconsin who preceded me why, as a member of the Committee on Ways and Means, if the gentleman is opposed to obstructionism, the gentleman does not let this bill come up for a vote on the floor of the House so that the American people can find out from each and every Member of this House how he or she feels about this program?

Mr. BYRNES of Wisconsin. Mr. Speaker, if the gentleman will yield, I will suggest to the gentleman that the chairman of the Committee on Ways and Means is not the gentleman from Wisconsin. For the information of the gentleman from New Jersey, the gentleman from Arkansas [Mr. MILLS] is chairman of that committee.

Mr. JOELSON. I understand further that every Republican member of the Committee on Ways and Means is opposed to letting this bill come out of the committee.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was agreed to.

Mr. FALLON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12135, with Mr. SMITH of Iowa in the chair.

The Clerk read the title of the bill. By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Maryland [Mr. FALLON] will be recognized for 1 hour, and the gentleman from New Jersey [Mr. AUCHINCLOSS] will be recognized for 1 hour.

The Chair recognizes the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill before the Committee, H.R. 12135, is the regular biennial bill to authorize appropriations for fiscal years 1964 and 1965 for the A-B-C Federal-aid highway program as well as authorizations for the several classes of Federal domain roads.

The bill does not provide authorizations for the National System of Interstate and Defense Highways, inasmuch as the Federal-Aid Highway Act of 1961 provided a revised scheduled of authorizations for that system through fiscal year 1971.

Both the A-B-C authorizations and those for Federal domain roads are essential to the continuation of a balanced, long-range national highway program.

In the case of the A-B-C highways, it is a well-established policy of the Public Works Committee that authorizations should be increased at the rate of \$25 million each year, until such time as an annual authorization of \$1 billion is reached. The Federal-Aid Highway Act of 1960 authorized the amount of \$925 million for the A-B-C program for fiscal year 1963. H.R. 12135 authorizes \$950 million for fiscal year 1964 and \$975 million for fiscal year 1965.

A-B-C highways extend into every county of the United States. The present extent of the Federal-aid primary system is 224,860 miles, exclusive of the 41,000-mile Interstate System. The Federal-aid secondary system consists of 601,364 miles.

The total mileage of highways covered under the A-B-C program is over 826,000 miles, carrying almost half of the total of all highway traffic in the Nation.

Generally speaking, the authorizations proposed for the various classifications of Federal domain roads are consistent with long established road improvement policies and programs. The largest increase is that for forest development roads and trails. For these roads, which are under the jurisdiction of the Department of Agriculture, the committee has allowed the full request made by the President; an additional \$10 million for the fiscal year 1963, which brings the total authorization to \$50 million, \$70 million for fiscal 1964, and \$85 million for fiscal 1965 as compared to the present level of \$40 million. These increased authorizations are a necessary part of the revised development program for the national forests which covers the period for fiscal years 1963 through 1972, submitted to the Congress by the President last September. Our committee believes that the contemplated investment in forest development roads and trails is essential to the efficient management and conservation of our forest resources.

Section 4 of the bill establishes a new category of Federal domain roads to be known as "Public lands development roads and trails." The bill would authorize \$2 million for fiscal year 1964 and \$4 million for fiscal year 1965 for this new category of Federal domain roads. These are the roads needed for access essential to the management and recreational use of the lands in the

Western United States and Alaska administered by the Bureau of Land Management of the Department of the Interior. They include access roads to public rangelands and other public domain not included in national parks and national forests.

Section 3 of the bill provides for assistance to families and businesses displaced by the acquisition of rights-of-way for Federal-aid highway construction.

It provides that before the Secretary of Commerce may approve a project involving the acquisition of rights-of-way or actual construction, he will require satisfactory assurance from the State highway department that there exist one or more feasible methods to aid families displaced by the project, in obtaining replacement housing. Also, it directs the Secretary to approve as part of the cost of construction, payments to displaced individuals, families, business concerns—including the operation of a farm—and nonprofit organizations for their reasonable and necessary moving expenses.

The section leaves it to each State to determine whether or not to make relocation payments. However, where a State highway department or local public agency, acting as its agent for the purpose, makes relocation payments to eligible persons, Federal-aid participation will be permitted subject to rules and regulations prescribed by the Secretary.

In the case of an individual or family so much of the relocation payment as does not exceed \$200 shall be eligible for Federal-aid participation although the Secretary may authorize the payment of fixed amounts within the ceiling in lieu of actual reasonable and necessary moving expenses.

In the case of a business concern—including the operation of a farm—or a nonprofit organization, so much of the relocation payment as does not exceed \$3,000 shall be eligible for Federal-aid participation and the allowable expenses for transportation may not exceed the cost of moving 50 miles.

The section will not prevent a State from making larger payments, without Federal-aid participation in any portion of a payment exceeding the prescribed limits.

The remaining sections of the bill amend title 23, United States Code, in four respects.

Section 6 of the bill removes the existing statutory limitation requiring that only urban funds may be used for certain secondary extensions within urban areas. The purpose of the section is to allow the States increased flexibility in the financing Federal-aid highway projects in urban areas.

Section 7 of the bill directs the Secretary of Commerce to cooperate with the States in the developing of long-range highway plans and programs coordinated with plans for improvements of other forms of transportation in urban areas of more than 50,000 population. Section 7 would also prohibit approval by the Secretary of Commerce after July 1, 1965 of highway projects in any urban area of more than 50,000 population, unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by the State and localities. The purpose of the section is to encourage comprehensive transportation planning and to improve the quality of urban planning generally.

Section 8 of the bill provides that the Postmaster General shall use the calendar year rather than the present fiscal year basis in certifying mileages. This change is proposed for the purpose of overcoming unnecessary delays heretofore experienced in the apportionment of Federal-aid A-B-C funds.

Finally, section 9 of the bill requires that the 1½ percent of apportioned Federal-aid A-B-C and interstate funds which the States may now use in highway planning and research shall be used only for these purposes commencing with the apportionment for the fiscal year 1964. In addition a State if it so desires may use an additional one-half of 1 percent of its A-B-C apportionments for highway planning and research purposes. The provision is believed to be necessary in order to stimulate additional needed highway planning and research activities in the Federal-State cooperative area.

Mr. Chairman, at this point I include as a part of my remarks, tables showing the approximate apportionments for fiscal years 1964 and 1965:

Approximate apportionments of Federal-aid highway funds, fiscal year 1964

[Thousands of dollars]

State	Pursuant to H.R. 12135				Interstate (\$2,600,000)	Total (\$3,550,000)	State	Pursuant to H.R. 12135				Interstate (\$2,600,000)	Total (\$3,550,000)
	Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)				Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)		
Alabama.....	8,178	6,244	3,188	17,610	53,635	71,245	Nevada.....	4,846	3,223	358	8,427	13,069	21,496
Alaska.....	22,696	15,233	156	38,085	-----	38,085	New Hampshire.....	2,111	1,407	627	4,145	11,631	15,776
Arizona.....	6,337	4,111	1,773	12,221	36,407	48,628	New Jersey.....	5,968	2,049	10,191	18,208	67,602	85,810
Arkansas.....	6,087	4,847	1,292	12,226	27,138	39,364	New Mexico.....	6,606	4,457	1,147	12,210	25,880	38,090
California.....	21,862	10,154	25,672	57,688	247,918	305,606	New York.....	19,292	8,412	27,316	55,020	122,855	177,875
Colorado.....	7,105	4,609	2,415	14,129	34,379	48,508	North Carolina.....	9,971	8,914	3,111	21,996	21,208	43,204
Connecticut.....	2,992	1,622	4,581	9,195	36,613	45,808	North Dakota.....	5,411	3,965	417	9,793	11,451	21,244
Delaware.....	2,111	1,407	544	4,062	9,654	13,716	Ohio.....	14,660	9,138	13,402	37,200	176,952	214,152
Florida.....	7,849	4,863	6,669	19,381	53,789	73,170	Oklahoma.....	8,523	5,932	2,616	17,071	31,195	48,266
Georgia.....	10,473	7,909	3,843	22,225	47,781	70,006	Oregon.....	6,546	4,575	1,982	13,103	45,034	58,137
Hawaii.....	2,111	1,407	880	4,398	20,360	24,758	Pennsylvania.....	15,690	10,062	15,094	40,846	115,974	156,820
Idaho.....	4,726	3,392	501	8,619	12,170	20,789	Rhode Island.....	2,111	1,407	1,426	4,944	9,551	14,495
Illinois.....	15,933	8,727	15,229	39,889	135,256	175,145	South Carolina.....	5,407	4,724	1,699	11,830	22,389	34,219
Indiana.....	9,696	7,009	5,322	22,027	64,213	86,240	South Dakota.....	5,952	4,306	431	10,689	17,023	27,712
Iowa.....	9,619	7,162	2,535	19,316	32,813	52,129	Tennessee.....	8,277	6,536	3,378	18,191	65,343	83,531
Kansas.....	9,561	6,676	2,327	18,564	20,103	38,667	Texas.....	25,851	16,337	13,180	55,368	117,309	172,677
Kentucky.....	6,944	5,888	2,368	15,200	52,890	68,090	Utah.....	4,635	3,007	1,237	8,879	37,537	46,416
Louisiana.....	6,353	4,570	3,712	14,635	74,894	89,529	Vermont.....	2,111	1,407	330	3,848	17,895	21,743
Maine.....	3,138	2,384	805	6,327	12,247	18,574	Virginia.....	8,031	6,269	4,112	18,412	78,797	97,209
Maryland.....	4,192	2,628	4,288	11,108	47,499	58,607	Washington.....	6,780	4,582	3,548	14,910	54,046	68,956
Massachusetts.....	5,382	2,380	8,184	15,946	55,561	71,507	West Virginia.....	4,163	3,742	1,248	9,153	39,026	48,179
Michigan.....	13,179	8,277	10,755	32,211	101,031	133,242	Wisconsin.....	9,485	6,691	4,589	20,765	22,928	43,693
Minnesota.....	10,726	7,560	3,888	22,174	67,063	89,237	Wyoming.....	4,816	3,277	280	8,373	24,879	33,252
Mississippi.....	6,626	5,567	1,393	13,586	31,503	45,089	District of Co- lumbia.....	2,111	1,407	1,489	5,007	37,280	42,287
Missouri.....	11,306	7,740	5,270	24,316	66,318	90,634	Puerto Rico.....	2,111	2,342	1,822	6,275	-----	6,275
Montana.....	7,821	5,426	543	13,790	24,263	38,053							
Nebraska.....	7,688	5,478	1,368	14,534	15,148	29,682							

Approximate apportionments of Federal-aid highway funds, fiscal year 1965

[Thousands of dollars]

State	Pursuant to H.R. 12135				Interstate (\$2,700,000)	Total (\$3,675,000)	State	Pursuant to H.R. 12135				Interstate (\$2,700,000)	Total (\$3,675,000)
	Primary (\$438,750)	Secondary (\$292,500)	Urban (\$243,750)	Subtotal (\$975,000)				Primary (\$438,750)	Secondary (\$292,500)	Urban (\$243,750)	Subtotal (\$975,000)		
Alabama.....	8,393	6,408	3,272	18,073	55,698	73,771	Nevada.....	4,973	3,308	367	8,648	13,751	22,219
Alaska.....	23,294	15,634	160	39,088	-----	39,088	New Hampshire.....	2,166	1,444	644	4,254	12,078	16,332
Arizona.....	6,504	4,219	1,820	12,543	37,807	50,350	New Jersey.....	6,125	2,103	10,459	18,687	70,202	88,889
Arkansas.....	6,248	4,975	1,326	12,549	28,182	40,731	New Mexico.....	6,780	4,574	1,177	12,531	26,876	39,047
California.....	22,437	10,421	26,348	59,206	257,453	316,659	New York.....	19,800	8,634	28,034	56,468	127,580	181,048
Colorado.....	7,292	4,731	2,478	14,501	35,701	50,202	North Carolina.....	10,234	9,148	3,193	22,575	22,023	44,598
Connecticut.....	3,071	1,664	4,702	9,437	38,021	47,458	North Dakota.....	5,554	4,069	428	10,051	11,891	21,942
Delaware.....	2,166	1,444	559	4,169	10,025	14,194	Ohio.....	15,045	9,379	13,755	38,179	183,758	221,937
Florida.....	8,056	4,991	6,844	19,891	55,858	75,749	Oklahoma.....	8,748	6,088	2,685	17,521	32,395	49,916
Georgia.....	10,749	8,117	3,944	22,810	49,619	72,429	Oregon.....	6,718	4,695	2,034	13,447	46,766	60,213
Hawaii.....	2,166	1,444	903	4,513	21,143	25,656	Pennsylvania.....	16,103	10,327	15,492	41,922	120,434	162,356
Idaho.....	4,851	3,481	515	8,847	12,638	21,485	Rhode Island.....	2,166	1,444	1,464	5,074	9,918	14,992
Illinois.....	16,352	8,956	15,630	40,938	140,458	181,396	South Carolina.....	5,549	4,849	1,743	12,141	23,250	35,391
Indiana.....	9,951	7,193	5,462	22,606	66,683	89,289	South Dakota.....	6,109	4,420	443	10,972	17,677	28,649
Iowa.....	9,872	7,351	2,602	19,825	34,075	53,900	Tennessee.....	8,495	6,708	3,467	18,670	67,856	86,526
Kansas.....	9,812	6,852	2,388	19,052	20,877	39,929	Texas.....	26,532	16,767	13,527	56,826	121,821	178,647
Kentucky.....	7,127	6,043	2,430	15,600	54,925	70,525	Utah.....	4,758	3,086	1,270	9,114	38,981	48,095
Louisiana.....	6,520	4,690	3,810	15,020	77,775	92,795	Vermont.....	2,166	1,444	338	3,948	18,584	22,532
Maine.....	3,221	2,447	826	6,494	12,718	19,212	Virginia.....	8,243	6,434	4,220	18,897	81,827	100,724
Maryland.....	4,302	2,697	4,401	11,400	49,326	60,726	Washington.....	6,959	4,703	3,641	15,303	56,125	71,428
Massachusetts.....	5,523	2,443	8,399	16,365	57,698	74,064	West Virginia.....	4,273	3,840	1,281	9,394	40,527	49,921
Michigan.....	13,526	8,494	11,038	33,058	104,917	137,975	Wisconsin.....	9,734	6,867	4,709	21,310	23,810	45,120
Minnesota.....	11,008	7,759	3,990	22,757	69,642	92,399	Wyoming.....	4,942	3,363	287	8,592	25,836	34,428
Mississippi.....	6,800	5,714	1,430	13,944	32,715	46,659	District of Co- lumbia.....	2,166	1,444	1,528	5,138	38,714	43,852
Missouri.....	11,604	7,944	5,409	24,957	68,869	93,826	Puerto Rico.....	2,166	2,403	1,870	6,439	-----	6,439
Montana.....	8,027	5,569	557	14,153	25,196	39,349							
Nebraska.....	7,890	5,622	1,404	14,916	15,731	30,647							

Mr. JONES of Alabama. Mr. Chairman will the gentleman yield?

Mr. FALLON. I yield to the gentleman.

Mr. JONES of Alabama. Mr. Chairman, I have served on the Committee on Public Works for several years. I know that I have never served with anyone who has been a more dedicated and more useful public servant and more knowledgeable in the field of highway problems than our distinguished chairman, the gentleman from Maryland [Mr. FALLON]. The bill we have before us today, in my opinion, is a tribute to his great knowledge and the tremendous amount of work that he has devoted to this important legislation dealing with highways throughout the years. This is an accomplishment that all of us ap-

preciate. I join with the other members of my committee in stating that the gentleman from Maryland [Mr. FALLON] is one of the great legislators in the House of Representatives.

Mr. FALLON. I thank the gentleman. Mr. HEMPHILL. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman.

Mr. HEMPHILL. I want to thank the chairman for his courtesy in connection with the matter that I am going to ask about now. I direct your attention, Mr. Chairman, to section 9, which is the section on highway planning and research funds, in which the committee has seen fit to make a change from the previous policy. As I understand it, in previous years money which was designated for

planning and research, if not used for that purpose, could be used for other purposes so long as it was within the concept of the general program; is that correct, sir?

Mr. FALLON. That is correct.

Mr. HEMPHILL. And in this particular year, you made a change which is going into effect in 1964; is that correct?

A thought occurs to me, there may be some highway departments in the various States which in good faith have done the planning and research which they think is proper and have taken the allocation and, I think, properly used them to supplement their construction. Would the gentleman give us the committee's thinking with reference to that and as to why it was changed because, if a State has done research and planning

which it thinks is effective and in keeping with the program and does not use up all the money but someone else uses up all the money, then that State is losing something because it did not use all the money in its good judgment or policy or in following the usual custom. Could the gentleman give us the thinking of the committee on that since it might help us?

Mr. FALLON. As the gentleman knows, under the bill, if this money is not used, it goes back into the trust fund and comes back as construction funds. But the reason for the change in this law and in the additional section is that we are trying to stimulate research and planning. It was brought out in the testimony, if that is done properly, we can save a lot of money in the future in the construction of highways. Research and planning is a continuing thing. Research never stops. In other words, if your State has done a great deal of research, there is always room for further research. I do not think that very much of this money will be turned back because your State and other states in the future will find, if they have a traffic problem that they will have to do a lot of research and planning on that particular problem and that they have a leadtime of 3 years. The money does not have to be spent within the 3 years. But, if it is committed to a certain project which the Bureau of Public Roads thinks is for the good and for the welfare of the public and it is feasible, they can commit that research fund for future planning to a certain project and it is the belief and the opinion that none of this money will be turned back. Of course, it goes back into the highway trust fund to be used for further construction.

Mr. HEMPHILL. If the gentleman will yield further, do I then understand that in 1964 we could commit the fund as far in advance as 1967?

I want to thank the gentleman. I am sure the gentleman is acquainted with the fact that South Carolina has a very fine highway system, which we think is second to none. The chief of our highway system is one of the most dedicated men we have. He asked me to make these inquiries, and I thank the gentleman.

Mr. PIKE. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield.

Mr. PIKE. I would like to ask the gentleman a question concerning section 7, dealing with transportation planning in certain urban areas. An urban area is defined as an area having a population of over 50,000 people. I am concerned with 2 counties, one of which has a population of approximately 750,000, and the other about a million and a half. Would these benefits be available to a county as a unit having a population of this amount even though it did not constitute an urban area but is a suburban area? It is neither rural nor urban.

Mr. FALLON. The planning is done by the local people. If they proceed to put it in that category it certainly would be acceptable, because an area contain-

ing over 50,000 people is by this bill to be considered an urban area.

Mr. PIKE. Do I understand then that a political subdivision such as a county having a population in excess of 50,000 would qualify for this help from the Secretary in the plan?

Mr. FALLON. That is my understanding.

Mr. PIKE. I thank the gentleman.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield.

Mr. JONES of Alabama. We have a similar situation in Fairfax County, Va., analogous to the situation the gentleman from New York describes.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield.

Mr. GROSS. Do we now have an interstate reserve fund?

Mr. FALLON. The highway trust fund, yes.

Mr. GROSS. I want to inquire about allocations from the reserve. Was there an allocation last year of \$135 million to West Virginia and Pennsylvania? How much went to West Virginia?

Mr. FALLON. Some extra mileage went to West Virginia. I do not recall. I think it was 135 miles.

Mr. GROSS. One hundred and thirty-five miles and how much money?

Mr. FALLON. I do not think any monetary estimate has been placed on it yet.

Mr. GROSS. And Pennsylvania got about 25 or 30 miles?

Mr. FALLON. They got 25 or 30 miles for a connection with the Interstate System, as I understand.

Mr. GROSS. Does the gentleman know the amount of money that went to West Virginia?

Mr. FALLON. No money has been appropriated to them yet. This is a mileage figure. No money has been allocated.

Mr. GROSS. Of course, money will follow the mileage, does it not?

Mr. FALLON. That is right.

Mr. GROSS. Does this connect up with the white elephant turnpike down in West Virginia? It was a white elephant, was it not?

Mr. FALLON. I have no knowledge of that.

Mr. GROSS. Is there any money in this authorization bill for, or any authorized to take over, the West Virginia Turnpike?

Mr. FALLON. No, there is not.

Mr. GROSS. And the gentleman does not know whether or not this interstate mileage allocation last year would connect up the West Virginia Turnpike with something else?

Mr. FALLON. No, I do not know.

Mr. GROSS. I thank the gentleman. The CHAIRMAN. The gentleman from Maryland has consumed 25 minutes.

Mr. AUCHINCLOSS. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. AUCHINCLOSS. Mr. Chairman, I take this time to express my appreciation of and also to recognize the work that has been done on the Public Works

Committee, by one of the finest Members Congress has ever had. I refer to the gentleman from Ohio [Mr. SCHERER].

Mr. SCHERER has served well and faithfully the people of the First District of Ohio. He has become a specialist and an authority on road legislation. I think it is safe to say that in our deliberations on the Public Works Committee his opinion has always been very much appreciated because he speaks with authority and he speaks with good judgment. He is a fine American, and it is a great loss to all of us, not only in the Committee on Public Works, but in the Congress, that this gentleman is not going to stand for reelection.

I wish him well in the days to come, and I hope he will come back once in a while to meet his old friends and to tell the Republicans, and the Democrats, too, something about what they should do.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. AUCHINCLOSS. I yield to the gentleman from Maryland.

Mr. FALLON. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from New Jersey, and say that I agree with everything he says about the gentleman from Ohio. My association with him in the years he has been in the House has generated a warm friendship. I do not know of any member of our committee who has contributed more to the welfare not only of his district and State but to the welfare of the Nation. His leaving the Congress will be a distinct loss to the Nation.

Mr. AUCHINCLOSS. I thank the gentleman.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. AUCHINCLOSS. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. I would like to take this opportunity to pay my great respects to the gentleman from New Jersey [Mr. AUCHINCLOSS].

When I first came to the Committee on Public Works, it was under the distinguished leadership of the gentleman from New Jersey [Mr. AUCHINCLOSS]. In all the time that we have had deliberations in that committee, he has been most helpful, the most lovable member of the committee I have ever served with. Certainly none of us could have served on that committee for any length of time, in the discussion of any bill or any proposal that the gentleman from New Jersey [Mr. AUCHINCLOSS] has had his handiwork in, without wanting to pay him great tribute as a real American, as a genteel colleague, and certainly as a man we all love.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. AUCHINCLOSS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, in the hope we might continue this melow mood for a little while, I would like to join my colleagues on this side in expressing our great admiration and respect, not only for the senior minority member of the committee, the distinguished and genial gentleman from New Jersey [Mr. AUCHINCLOSS] but also for the next member in seniority on the

other side, the gentleman from Ohio [Mr. SCHERER]. I have found both of these gentlemen fighters for their respective States in expressing their views forcefully and strongly with regard to legislating on any subject.

It has also been a pleasure to serve with both of them. I know the House, and particularly the Committee on Public Works, will miss the able lawyer-like qualities of the gentleman from Ohio in the next session of the Congress.

Mr. SCHERER. Mr. Chairman, I yield myself 15 minutes.

(Mr. SCHERER asked and was given permission to revise and extend his remarks.)

Mr. SCHERER. Mr. Chairman, I certainly appreciate the nice things that have been said about me by the ranking minority member of the Committee on Public Works and my longtime colleague the chairman [Mr. FALLON] of the Subcommittee on Roads. I only wish that I deserved all of the nice things that they have said, and I hope, by my presentation today of this bill, I do not prove them to be wrong.

Mr. Chairman, the gentleman from Maryland [Mr. FALLON], the chairman of the Subcommittee on Roads, and I introduced almost identical bills which merely provided for the biennial authorizations for the so-called A-B-C Federal-aid highway system.

The chairman of the Full Committee on Public Works [Mr. BUCKLEY] introduced a bill for the administration which provided for some substantive changes in the basic law and substantial increases in the authorizations for some of the so-called Federal domain roads, over and above the authorizations of previous years.

These increased authorizations are apparently justified by the evidence produced at the hearings. That evidence comes chiefly from the departments of government in charge of these Federal domain highways. We must assume that the representations made by the agencies involved as to the need for these increased authorizations are justified by the facts. The bill before us today contains these increased authorizations, amounting to approximately \$65 million.

It should be pointed out that the administration bill, however, kept the authorizations from the trust fund for the A-B-C system for fiscal 1964 and fiscal 1965 at \$950 million for each year, as did the Scherer bill. However, the committee increased the authorization for fiscal 1965 to \$975 million. To this increase some of us objected because, under no circumstances, with the fiscal condition of the country as it is, could we possibly go along with an increase over and above that which the administration recommended.

Most of the changes in the basic law as called for in the Buckley bill are incorporated in the bill before the House today. Some of these proposed changes were amended in committee to make them more palatable to some of the members and less harmful to the actual road program.

One of the radical changes in the basic highway law is found in section 3 of the bill we are considering. It provides for the first time that States may reimburse tenants up to \$200 and businesses up to \$3,000 for their moving costs when they are compelled to relocate by reason of the construction of a new highway. The Federal Government will include such payments as part of highway construction costs when reimbursing States with Federal funds. There is some justification for such payment if for no other reason than to avoid discrimination.

The Federal Government for some time has been paying relocation costs in connection with land takings for reclamation, flood control and urban renewal projects. In these projects the Federal Government acquires the land directly. In highway right-of-way acquisitions we must remember that it is the State, rather than the Federal Government, that takes, owns and maintains the highway right-of-way.

Some of us felt that the provision providing for the payment of relocation moving costs was a little premature. The Committee on Public Works has set up a Select Committee on Real Property Acquisition. It has a sizable and experienced staff. Its very purpose is to make a complete and exhaustive study in depth of the practices, procedures and moneys paid in connection with land takings by the Federal Government in all categories. The committee's objective, as stated by its chairman, is "to make an impartial, non-political and comprehensive study to determine if existing law, practices and procedures in the acquisition and evaluation of real property by the Federal Government are unfair, either to property owners because of inadequate payments, or to taxpayers because of overpayment." Among the broad areas which the chairman of the Select Committee said the study would cover is the following:

Measurement and payment of compensation for losses, expenses and damages not reflected in the value of the real property which are incurred by the owner or others as the result of taking of real property.

This Select Committee is therefore currently studying how and under what circumstances moving or relocation costs should be paid to those who must move from newly acquired highway rights-of-way. Instead of waiting for the conclusions of this committee on this very subject, this legislation jumps the gun and arbitrarily sets a pattern for payment of relocation costs in connection with right-of-way acquisition for highways.

While payment of relocation costs is generally acceptable, paragraph b of section 3 of the bill is highly objectionable and in the opinion of many of us, who are familiar with highway problems, will delay and seriously hamper the highway construction program.

The American Association of State Highway Officials conducted a survey of the State highway departments and found that all 50 States were definitely and unequivocally opposed to the pro-

visions of paragraph b. Subsequently the governors of only two States, California and Ohio, reversed the position of their highway directors. Why they did it is a subject for political speculation.

Now what does this paragraph b of section 3 provide? It says that the Secretary of Commerce, before he approves any highway project, must be satisfied that there exists one or more feasible methods for relocation of families displaced by the acquisition or clearance of rights-of-way. This means that every State, every community—local or urban—must have a relocation agency or program for the relocation of families. It means that the methods and procedures these States agencies use must be satisfactory to the Secretary of Commerce before a highway construction project can go forward. It makes the Secretary of Commerce a virtual dictator over local and State governments when it comes to relocation of families.

There is no definition in the bill as to what constitutes a feasible method. Therefore, the Secretary of Commerce is the sole judge of the type of setup and procedures a local or State government must have before he approves a highway project. We get a clue, however, as to what the Secretary of Commerce is going to consider a feasible method. We get some idea of the guidelines that he is going to follow by taking a look at the original bill introduced by the administration. This bill gives a blueprint of what the Secretary of Commerce considers a feasible method or program for relocating families. Here is what the original section of the administration bill says:

The Secretary, as a condition precedent to his approval of any highway project, shall require the State highway department, through an agency or agencies acceptable to the Secretary, to assure that there is a feasible method for the temporary relocation of families displaced by the acquisition or clearance of rights-of-way for any Federal-aid highways; that there are or will be provided in areas not generally less desirable in regard to the availability of public utilities and public commercial facilities at rents or prices within the financial means of the families displaced by the acquisition or clearance of such rights-of-way, decent, safe, and sanitary dwellings adequate in number to accommodate such displaced families and reasonably accessible to their places of employment.

This section would require the State to relocate families, in many instances in better housing better located than that from which the people were required to move. This is the kind of relocation service your State, your community, is going to be required to give before a highway project is approved in your township, city, or village. We are putting the highway departments into the housing business.

Your State highway engineers, or anyone else that knows anything at all about highway construction, will tell you that if section b is permitted to remain in this bill it is going to seriously interfere with and delay the highway construction program.

The testimony before the committee was conclusive that only in a few instances, in two or three large metropolitan areas, was there any difficulty in relocating families in suitable housing and that in these instances the problem was gradually being worked out. If moving costs are paid, as proposed in the current bill, it should help materially in relieving any hardship that may exist. A simple provision in the law, which I have suggested, would solve the problem in those few areas where it exists. The law could be amended to provide that tenants be given at least 6 months before they are required to move after the land is taken by the State. This would solve the problem.

In fact, in most instances, people know long before the land is actually acquired that they will have to relocate. In some cases it is as much as 7 years. The statute provides that Federal funds may be used in the acquisition of rights-of-way 7 years in advance of actual construction.

As I have said, the requirements in section b could be used to delay the program and harass the people who must do the job. We all know that there are many people who just do not want to move.

Then there are those who for one reason or another oppose the selected route or location of a new highway. There are others who for selfish reasons want interchanges and access points differently located from that which the highway engineers recommend. Anyone desiring to delay the program or possibly force the changes I have just mentioned could latch on to the provisions in paragraph b and for a dozen different reasons contend that suitable housing is not available.

Court actions, I am sure, will be instituted on this basis. Whether the complainants succeed or not, such actions will have the effect of delaying and increasing the costs of the program. To avoid such delays highway officials and others might be forced to change routes, interchanges, and access points which are not in the best interests of good highway engineering. Therefore, the Baldwin amendment, which will require highway departments only to furnish relocation advisory assistance, should be adopted.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. SCHERER. I yield to the gentleman from Maryland.

Mr. FALLON. Of course, the gentleman knows that the additional money that is allocated by this bill for the A-B-C system, \$950 million for 1964 and \$975 million for 1965, does not increase the national debt in any way. This comes out of the trust fund, and the committee was told by the Bureau that there were sufficient funds to take care of this increase without endangering in any way the completion of the Interstate System.

Mr. SCHERER. The gentleman in his statement is absolutely correct, that these moneys do come out of the trust fund. But, I cannot visualize myself, as a conservative, approving, as does this

bill, an expenditure of \$25 million over and above that recommended by the President of the United States. I just want to point that out to keep the record clear.

Mr. REIFEL. Mr. Chairman, will the gentleman yield?

Mr. SCHERER. Yes, I will be delighted to yield to the gentleman from South Dakota.

Mr. REIFEL. I have just received a letter from the secretary of our State highway commission and in this letter he was wondering why this change was necessary, as it seemed that where the funds were not all used in this regard that they could be used for construction and planning.

Mr. Chairman, I just wonder if the gentleman from Ohio can give us an explanation of the advisability of the amendment?

Mr. SCHERER. Many States are anxious, as all of us are, to get pavement laid. So they have taken the 1.5 percent which could be used for planning under existing law and have used it for construction. In the judgment of the committee and in the judgment of the Bureau of Public Roads the road program would progress better and more efficiently and less costly if those States would use that 1.5 percent for what it was intended; namely, research and scientific planning. Therefore we make it now mandatory for the States to use that 1.5 percent for planning and research.

Mr. Chairman, to further answer the question of the gentleman from South Dakota [Mr. REIFEL], this question of research and planning is so important that this bill also provides another basic change in the law: it provides that a State may also use an additional one-half of 1 percent for research and planning, if it so desires. It does not have to use that one-half of 1 percent for planning. If it does not see fit to use that additional one-half of 1 percent, then it can use that money for construction purposes.

Mr. REIFEL. Mr. Chairman, will the gentleman yield further?

Mr. SCHERER. Yes.

Mr. REIFEL. If the bill passes with the amendment in it requiring the mandatory use of the 1.5 percent or otherwise it lapses, that is certainly going to tend to make some of the States which have not been using it tend to overplan and overuse this particular area so that the money does not lapse.

Mr. SCHERER. I doubt that. The evidence before the committee indicated that each State could very well use the 1.5 percent in research and planning. I think the majority and minority agree fully in this respect.

Mr. REIFEL. I appreciate the gentleman's explanation, and I thank the gentleman.

Mr. KNOX. Mr. Chairman, will the gentleman yield?

Mr. SCHERER. I yield to the gentleman from Michigan.

Mr. KNOX. There has been a question raised in my own mind relative to the jurisdiction in the case of sign removal from highways where Federal

funds have been used for construction purposes on a matching basis. The Bureau of Public Roads, I believe on December 25, 1961, issued a memorandum which provided for all highways to be free of any directional signs—any signs advertising business—located in front of a business, or the Federal funds would be cut off from the respective States.

It was my understanding when we passed the Interstate Highway Act that we did give that jurisdiction as far as the Interstate System is concerned to the States; is that right?

Mr. SCHERER. That is right, to the States.

Mr. KNOX. Now, is it the opinion of the gentleman, who has been serving on this committee for some time, that the Federal Bureau of Public Roads got a directive or jurisdiction to issue such a memorandum that would not permit directional signs or other signs in front of a place of business designed to advertise such place of business on roads other than interstate roads?

Mr. SCHERER. I am unfamiliar with the directive which the gentleman mentions, but I do not think the Bureau of Public Roads has the right to make such a directive insofar as the Interstate System is concerned until and unless the State itself decides to participate in that particular phase of the program. Then the State is given one-half percent increase in its yearly apportionment if it abides by the regulations with reference to signs and billboards.

I would appreciate it if the gentleman would permit me to discuss this a little later because I am not too familiar with the existing situation and I do want to get along with the bill before us.

Mr. KNOX. Mr. Chairman, I thank the gentleman.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. BARRETT].

(Mr. BARRETT asked and was given permission to speak out of order and to revise and extend his remarks.)

MEDICINE FOR THE AGED UNDER SOCIAL SECURITY

Mr. BARRETT. Mr. Chairman, I was indeed sorry to learn that yesterday our colleagues in the Senate tabled the Anderson amendment to H.R. 10606, which would provide medicare for the aged under social security. The defeat of this amendment not only harms the people in my district, but is detrimental to the welfare of the entire Nation. I only hope the American people will protest this action and force the House to consider H.R. 4222, the Health Insurance Benefits Act, which is also known as the Anderson-King medical care bill for the aged.

I am very much in favor of the Anderson-King bill because it will do the greatest good for the greatest number of people in our country today—the elderly and the retired—and in years to come will provide needed benefits to the men and women who are now working, but who will one day reach retirement age.

There has been considerable discussion for and against such a medical care

program, but I am pleased to say that a majority of the people living in the First Congressional District of Pennsylvania are in favor of it. If you could only read the comments I receive in the mail on this bill, you would not hesitate for 1 minute to support medicare legislation, but would insist that the House be permitted to vote on it.

Here are a few examples of comments I am receiving daily in the mail:

Only such a bill would meet the needs of the aged.

My parents are among the 15 million under social security. Their income hardly meets the expenses of today's medical bills.

Retired people need more medical care than any other age group. The cost of medical care is too expensive for them and insurance is too much for them to pay.

The expenses of medical care are a great problem to our retirees today.

My husband and I haven't enough income to afford adequate medical attention.

I'm on social security and really need all the breaks I can get.

I am already receiving social security checks. Needless to say, I find it very difficult to make the check cover rent, food, etc.

Mr. Chairman, over 16.5 million American citizens are now 65 or older. By 1970 this number will increase to 19.5 million. These senior citizens require twice as much medical care as younger persons. The cost of these increased medical expenses and the ordinary day-to-day living expenses must be met by the aged out of reduced incomes. Extensive research has disclosed that, in many instances, lacking the necessary means to pay for medical treatment, our aged deprive themselves of it or must rely on free care or public assistance.

In the autumn of their years, are we to deny our elderly citizens the protection they need against the cost of necessary medical care? Most of all, Mr. Chairman, the golden years of retirement, which we all will pass through, must and should be lived with dignity and not shame.

Medical care is the greatest legislative challenge of this session and this century. I urge all of you here today to demand that we be given the opportunity to vote on the Anderson-King bill.

Mr. FALLON. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. KLUCZYNSKI].

(Mr. KLUCZYNSKI asked and was given permission to revise and extend his remarks.)

FEDERAL-AID HIGHWAY ACT OF 1962

Mr. KLUCZYNSKI. Mr. Chairman, H.R. 12135, which is before this House today, is a good bill. I am proud to be a member of the House Committee on Public Works which reported this legislation after extensive hearings. This bill will move the highway program of the United States forward in the manner which was originally intended in the Federal-Aid Highway Act of 1956. May I congratulate my good friend and the distinguished chairman of the Public

Works Committee, the gentleman from New York, CHARLES BUCKLEY, for his leadership in producing this legislation; and my other good friend and colleague, the chairman of the Subcommittee on Roads, one of the leading experts on highways in the country, the gentleman from Maryland, GEORGE FALLON. They have worked long and hard to present this bill which is before you today.

I am particularly gratified that for the first time in highway legislation we recognize the fact those individuals, families, or small businesses which are relocated as a result of the construction of a road will receive the necessary moving expenses for the inconvenience and hardships caused to them by the highway construction program throughout the country. In 1956 we enacted into law legislation which allowed reimbursement to utilities for moving expenses when such utilities were displaced by road construction. It is only fitting and proper that human beings receive the same treatment as utilities. From the testimony heard by the Public Works Committee during the hearings on this bill, I am certain that these payments for relocation costs will not, to any great degree, slow down the construction program now underway on the Interstate and ABC Systems. I am very much in favor of these payments for relocation. I think it is justified, equitable, and proper. I strongly support this section and all other sections of what I believe to be a very fine highway bill. I hope the House will pass this legislation.

Mr. SCHERER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, it has been a privilege to serve again this year on the Roads Subcommittee of the House Committee on Public Works under the able chairmanship of the gentleman from Maryland [Mr. FALLON]. I have had that privilege for the past 8 years. I respect the gentleman from Maryland [Mr. FALLON] most highly for the fair and impartial manner in which he presides over our committee hearings and his very comprehensive and detailed knowledge of the highway program of the Federal Government. It has been an equal privilege to serve during the past 8 years on the subcommittee with the gentleman from Ohio [Mr. SCHERER] who is now the ranking Republican member of the subcommittee and who has shown during that period of time a tremendous dedication to the best interests of the people of our country from the standpoint of the highway program. I join the gentleman from New Jersey [Mr. AUCHINCLOSS] in expressing my personal sorrow that the gentleman from Ohio [Mr. SCHERER] has made a decision not to remain in the Congress and to devote his great service to the work which he has so ably carried out.

Mr. Chairman, the bill we have before us is a bill which generally I support. I do have an amendment which I propose to offer, dealing with a portion of section 3 of the bill. Section 3 of the bill as a whole provides for Federal reimbursement to States, if a State has a

law authorizing payment to individuals or businesses for the relocation of families and businesses. If a State has such a law, then section 3 will provide that the Federal Government will reimburse that State up to the same proportion that we reimburse that State for that particular kind of highway; if it be interstate it is 90 percent, and if it is State primary or secondary roads, then it is 50 percent. There is no quarrel with that provision for this reimbursement feature. But there is a difference of opinion about the section (b) portion of section 3. This (b) portion, and I would like to read it, reads as follows:

(b) The Secretary prior to his approval of any project under section 106 of this title for right-of-way acquisition or actual construction shall require the State highway department to give satisfactory assurance that there exists one or more feasible methods (including relocation advisory assistance) for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway.

This proposes to take some thing from the States in the way of control and concentrate it in the Secretary of Commerce. It has not been placed in the hands of the Secretary of Commerce prior to this time.

Up to this time, we gave the States the full responsibility to determine their procedures for relocation. In fact, when the Congress passed the Federal Interstate Highway Act of 1956, it was stated time and again that we were going to try to be sure not to just grasp Federal control and to take the control away from the States and put it in the hands of the Federal Government for the actual detailed procedures for constructing this highway program.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman.

Mr. JONES of Alabama. The gentleman recognizes the fact that all the restraints that can be conjured have been proposed in this legislation to protect the rights of the States. It is not that the Federal Government is going in and selecting the States. The States, first, have to operate in the acquisition of property and it is up to them to decide whether or not they want to acquire property under the terms of this act.

Mr. BALDWIN. I have some difference of interpretation with the gentleman. I thank the gentleman for the point he has made, but I have some difference of interpretation with him. The wording of the bill is quite specific. It gives the Secretary entire power to determine what is a feasible method of relocation. This is something we have not given to the Secretary of Commerce before. He does not have any particular guideline set forth in this bill. He has almost open authority to determine what he feels is a feasible method of relocation, and then to impose his decision or his interpretation upon the State whether the State feels the same way about what a proper procedure for relocation is or not.

It seems to me we should not concentrate that kind of power in the Secretary

of Commerce when we have not done so up to this time. The procedures that are set forth in the bill require the Secretary to determine what is a feasible method. It also says that the State should provide relocation advisory assistance.

I think it is better for the State to provide relocation advisory assistance, and my amendment basically would simply strike out the words that would give the Secretary the power to determine what a possible method is and would simply leave the State to provide relocation advisory assistance.

I think it might be appropriate at this point to refer to certain statements which have been made about this. I refer you to page 99 of the hearings on this bill when the President of the American Association of State Highway Officials, Mr. J. C. Womack, had this to say about section 3:

As to section 3, assistance to displaced families and businesses, we advise against the passage of such a provision at this time.

There is another statement I quote from him:

There are many questions that we think must be answered also, such as, Who would determine what is adequate, safe, sanitary, convenient housing within the means of the individual, and as we understand the provision, the State highway department would have to make a showing that this housing was available before we could even go ahead with acquiring right-of-way to build any Federal-aid project, whether it be the interstate, primary, secondary, or whether it be in an urban or totally rural area.

Further on the same page he makes this statement:

We believe that it would be a means of introducing controversy, delay, and political pressures into the program to the point that it could effectively stop the highway program in certain areas.

My amendment does not propose to strike section 3 but does propose to eliminate this authority to the Secretary of Commerce to be the sole arbiter in the matter of possible relocation.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I prefer not to yield until I have finished my statement.

Mr. EDMONDSON. I will get the gentleman additional time.

Mr. BALDWIN. I do not yield at the moment, Mr. Chairman.

I have here a telegram from the American Automobile Association, which I believe, represents the greatest number of people who drive automobiles throughout the country. I want to read it:

WASHINGTON, D.C.,
July 16, 1962.

HON. JOHN BALDWIN,
House of Representatives,
Washington, D.C.:

Reasons advanced by a substantial number of members, House Public Works Committee, to limit requirement involving relocation of families and businesses to relocation advisory assistance in section 3 of H.R. 12135 should have support of all Members of Congress favoring orderly highway planning and construction. To require any other condition such as feasible methods as a precedent to approval of Secretary of Commerce for use of highway trust fund money,

all of which is provided by users through special taxes, could result in delay and greatly increased cost for purchase of rights-of-way and construction. Your amendment avoids serious dangers to the Federal-Aid highway program and should be supported.

RUSSELL SINGER,
Executive Vice President.

I also have here a letter from the American Road Builders Association, which certainly has knowledge of the problems involved in the case of the primary highway systems and the secondary roads. It is dated July 17, 1962. I read the following from this letter:

We understand that you will offer an amendment to require State highway departments to give satisfactory assurance that relocation assistance will be provided to displaced families and businesses, in lieu of the present language of the bill requiring assurance of one or more feasible methods for the relocation of families.

In our judgment, your amendment, which we strongly endorse, would remove some ambiguities from the section and make it a more effective instrument for encouraging the States to improve their relocation programs.

It is signed by Louis W. Prentiss, major general U.S. Army, retired, executive vice president.

It seems to me with this statement, the testimony of the President of the American Association of State Highway Officials, and the telegram from the American Automobile Association that we should amend this proposal to concentrate power in the Secretary of Commerce and to give him power to be the sole arbiter, the sole one to determine what is the possible method to determine relocation of people displaced by this program.

So my amendment primarily is simply to reserve to the States the power to make that decision and require them to provide relocation advisory assistance, but it leaves them with the basic power to determine the proper feasible method of relocation of people and rights-of-way.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. JOHNSON].

(Mr. JOHNSON of California asked and was given permission to revise and extend his remarks.)

Mr. JOHNSON of California. Mr. Chairman, I rise in support of H.R. 12135. I am gratified that the Public Works Committee, of which I am a member, has reported out H.R. 12135 which is an essential piece of legislation insofar as development of our vast Federal highway system is concerned. The bill before us on the floor today gives the needed financial impetus to the further development of that vast network of roads outside of the Interstate system which forms the backbone of our entire road program. I wholeheartedly support this legislation, and I trust that the House will see fit to approve it today. If I may, I would like to address my remarks specifically to one section of the bill which deals with a subject which is of immense concern not only to myself but to all Members of Congress who are interested in the further development of our vast natural resources. That section deals with the

authorization for forest development roads and trails. It was my privilege to offer in the committee an amendment which was adopted by the committee unanimously which increases the authorization for appropriation for development of forest roads and trails by adding an additional \$10 million for the fiscal year 1963, \$70 million for the fiscal year 1964, and \$85 million for the fiscal year 1965.

Forest development roads and trails provide access to national forest lands for the protection, development, and multiple-use management of the forests, including resources on which communities in or near the forests are depending. This system of roads and trails is administered by the Secretary of Agriculture through the Forest Service.

As of June 30, 1961, there were 179,213 miles of roads and 106,577 miles of trails on record in the forest development system. It is estimated that when completely installed this system will consist of 542,250 miles of access roads and that the trail network will be reduced to 80,000 miles. An adequate system of forest development roads and trails is essential now to the proper development and beneficial use of national forests and their resources. The presence of these roads and trails has a direct influence on the protection of national forest resources from fire, insects, and disease; the use of recreation, hunting, and fishing areas; the volume of timber that can be marketed especially for small sales and the support of dependent communities and small business enterprises; and the level of salvage cutting in dead and dying timber stands and the opportunity to promptly salvage losses resulting from fire, windstorm, insects, and disease.

Furthermore, roads that give access to national forest timber are investments which pay their own way over a period of years. Use of these roads by the public results in substantial benefits to the localities the roads serve.

The Forest Service at the present time has underway a long-range 10-year development program for our national forests. This program was transmitted by the President to the Congress in September of 1961. The benefits from this long-range 10-year program of which this increased authorization is an essential part are many. They include not only direct financial revenues returning to the Government but many secondary benefits and intangible benefits. Direct financial revenues from the forest system will rise to about \$230 million annually by the time the 10-year program is completed or nearly double current receipts. These receipts will then continue to exceed annual operating expenses of the program. By the year 2000 the annual worth of the national forest timber sales should reach \$350 million based on 1960 prices. Payments from national forest revenues for county schools and roads will increase correspondingly. The capital value of the timber, forage and lands in the national forest system will have increased by about \$2 billion as a result of the 10-year program. Many secondary benefits including the employment of numbers

of people during this 10-year program, and the harvesting of national forest timber and other projects, plus the value added to these products by manufacture, distribution and marketing will occur. It is estimated that the program will provide direct employment for about 32,750 at its peak. Much of this will be in areas of labor surplus and low rural incomes. Of the 186 million acres of land administered by the Forest Service, 80 million acres are in such area. Thus it is easy to see the many benefits that will arise for the Nation as a whole.

My own district in northern California includes 19 of California counties. Its area amounts to about 53,000 square miles and each and every county participates in this program. We are very much interested in seeing the forest roads and trails program expand. Every dollar that has been put into this program in the past has been or will be returned to the Federal Government. I am certain that the figures in H.R. 12135 will be returned over the years. The funds that I trust the House will authorize today will open still further our national forest for recreation; for proper harvesting of timber; for further control of disease and fire and for an overall proper management of one of our greatest natural resources.

I urge the passage of H.R. 12135.

Mr. OLSEN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Montana.

Mr. OLSEN. I wish to commend my colleague, the gentleman from California [Mr. JOHNSON] on his splendid statement. I am in support of this bill and I want to subscribe and endorse the remarks the gentleman has made, because the opening up of this vast land in his district and in mine is of great importance to the people of our districts and of extreme importance to the people of the United States.

Mr. JOHNSON of California. I thank the gentleman very much.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Maryland.

Mr. FALLON. I, too, would like to congratulate the gentleman for the fine job he did for the forests of his State. He has brought to our committee a wealth of knowledge about these forests, and we look to him as an expert. I would like to congratulate him.

Mr. JOHNSON of California. I thank the gentleman.

Mr. RIVERS of Alaska. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Alaska.

Mr. RIVERS of Alaska. I would also like to associate myself with the remarks of the gentleman from California and commend him for the very sound work he has done in cooperation with the committee and with some of his other colleagues from the Western States. I have been with you all the way in this effort, and I also express my appreciation to the committee.

Mr. JOHNSON of California. I thank the gentleman.

Mr. SCHERER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. ROBISON].

(Mr. ROBISON asked and was given permission to revise and extend his remarks.)

Mr. ROBISON. Mr. Chairman, I would like to address my remarks first to the relocation-payment provisions of H.R. 12135—not so much to the merits thereof but to the procedure we are following.

Now, as you will probably recognize, this new program would amount to an extension of the concept of "just compensation." There have been previous extensions. As you may also know, the military departments already are paying moving costs up to 25 percent of the fair value of land taken by them for a public works project. So, too, can the Housing and Home Finance Agency, as a part of the total cost of urban renewal projects, though in this instance the permitted payments are, as in H.R. 12135, limited to \$200 per family and \$3,000 per business. The Secretary of the Interior, for another, is authorized to reimburse owners and tenants of land acquired for development projects under his jurisdiction, again up to 25 percent of the fair value of the taking. For another, the Corps of Engineers can provide reasonable actual costs of relocation in connection with certain of its flood control or navigation and water control projects.

So it goes, Mr. Chairman, until we have, you see, a veritable patchwork quilt regarding the costs of relocating families and businesses displaced by Federal or federally aided land takings.

Now, this bill today, as it is written, will add another patch to that quilt, despite the fact that about a year ago our committee asked for the creation of a Special Subcommittee on Real Property Acquisition, a subcommittee to be chaired by the gentleman from Tennessee [Mr. DAVIS], to study this and related land acquisition problems.

I would like to refer you to a letter from the Bureau of the Budget, Executive Office of the President, dated August 14, 1961, to the chairman of our committee, in response to his request for a report on the creation of this subcommittee. I quote from that letter on page 2 thereof:

There have been many complaints that amounts being paid are inadequate and bills have been introduced to provide more liberal payments for property acquired for specific Federal programs or from specific property owners. Generally, we have not favored such proposals because they would provide a piecemeal solution and would result in varying amounts being paid to property owners, depending upon which Federal agency happened to take their property.

Mr. Chairman, a couple of weeks ago some of us were concerned when we were considering the Trade Expansion Act over the fact that we might be for the first time preparing to treat some of our unemployed citizens differently, depending upon the reason back of their unemployment. I thought that was wrong then, and without being opposed on the merits to relocation payments to persons and firms displaced by the highway

program, I think all of our citizens are entitled to equal treatment under our laws. That is a basic principle to which our Nation has always subscribed, and I regret that our committee did not see fit to defer this matter for at least a year, during the course of which our special subcommittee could have been able to recommend, I hope, uniform legislation in this area of concern not only to the full committee, but to the Congress as well.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I am glad to yield to the gentleman from New York.

Mr. O'BRIEN of New York. I would like to compliment the gentleman on his statement. While I intend to support the compensation provided in this bill, I think the gentleman has placed his finger very squarely on a major problem before this Congress. I think when the U.S. Government for any purpose whatsoever—highways, urban renewal, housing and reclamation or irrigation—takes a person's home or business, that that person should be compensated for moving costs. I think that in the very near future we should in this Congress enact a general law covering that subject.

Mr. ROBISON. I thank the gentleman for his contribution. I understand the gentleman is the sponsor of legislation which would provide for such uniform coverage.

Mr. Chairman, I would like to address the balance of my remarks, insofar as time will permit, to an issue that is not covered by the bill although in my judgment it should have been. I refer to the still unresolved problem of whether or not the several States which have contributed mileage which they built without benefit of the 90 percent Federal aid, and then subsequently contributed to the Interstate System, whether those States should be reimbursed therefor.

Mr. Chairman, if Members would turn to page 12874 of yesterday's RECORD, those who are interested will find a brief history that I inserted in the RECORD as to how this situation developed, and a table showing the interstate mileage—90-10 mileage—that most of the States thereby lost. New York is the chief loser, by all odds, by virtue of incorporation into the Interstate System of our 500-mile-plus thruway, as a result of which our original allocation of 1,227 interstate miles has been reduced by nearly half, and all we have to show for our enterprise in this respect are some signs indicating that our thruway is an interstate route. Those signs may be pretty ones, Mr. Chairman, but they are far from representing just compensation for what we have provided.

Mr. Chairman, we find as a result of all this a situation exists in New York where, under such interstate mileage as we now have, including the thruway, has so far been built at about a 13-percent cost to the Federal Government and an 87-percent cost to the people of the State of New York, which is almost a complete reversal of the intended Federal-aid formula under the Federal Aid Highway Act of 1956. In

my judgment this is an inequitable condition that should have been corrected long ago, and that is capable of being easily corrected by virtue of the circumstances under which it arose. I think the merits of this situation deserve the further consideration of our committee, as a separate matter perhaps, where it could be determined solely on its own merits. I would hope that there would be additional time for us to do so this year.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I would be happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I would merely like to extend my own personal appreciation as a Representative of a State very much affected by this problem to the gentleman from New York for bringing it to the attention of the entire House.

I also commend him for his consistent fight in our committee, along with the Chairman of the full committee, the gentleman from New York [Mr. BUCKLEY], to get congressional consideration and action on this long delayed subject.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman.

Mr. GOODELL. Mr. Chairman, I wish to associate myself with the gentleman from New York and also pay tribute to the leadership he has provided on this issue. Mr. Chairman, I should like to ask the chairman of the subcommittee handling this bill if he anticipates that anything can be done for New York State in this respect.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman.

Mr. FALLON. The gentleman from New York brought up that question in the committee this year when we were holding hearings on the bill. It was the judgment of the committee at that time that it should be held in abeyance until another time. There were expressions time and time again by the committee indicating that we realize that something has to be done and will be done sometime; but we do not feel that it can be done at the present time.

Mr. GOODELL. Mr. Chairman, will the gentleman yield further?

Mr. ROBISON. I yield.

Mr. GOODELL. Mr. Chairman, I appreciate very much the remarks of the gentleman; but it seems that this has been going on for quite awhile. New York State is far from the only State involved, as the gentleman knows. I think New York was a flagrant example because in New York we built the New York State Thruway along the Federal highway route. But many other States were enterprising enough to go ahead and build right along the Federal highway route prior to the enactment in 1956 of the Highway Act.

Mr. FALLON. Mr. Chairman, if the gentleman will yield to me, I might say that you have a new member in that group. The State of Maryland has turned back mileage on the Interstate

System to the Federal Government so that they could build a road to connect the harbor tunnel with the Delaware River Bridge.

Mr. GOODELL. Mr. Chairman, I hope this will motivate the gentleman and other Members of Congress to help us get some justice in this matter.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman.

Mr. SCHERER. Mr. Chairman, I, too, want to commend the gentleman from New York for his leadership on this vital issue. My State, like that of the gentleman from Oklahoma, is vitally affected. One reason I might state the committee has not gone forward with this matter of reimbursement to the States because the estimated cost is \$4.5 billion. We are not going to be able to get that kind of money until we get well along with the present Interstate System which is scheduled to be concluded in 1972.

Mr. FALLON. Mr. Chairman, I yield such time as she may require to the gentlewoman from Idaho [Mrs. FOST].

(Mrs. FOST asked and was given permission to revise and extend her remarks.)

Mrs. FOST. Mr. Chairman, the legislation before the House is certain to be one of the major accomplishments of this session of the Congress.

I want particularly to compliment the gentleman from Maryland [Mr. FALLON] for his hard work and diligence; and the excellent job he has rendered as chairman of the Roads Subcommittee of the Public Works Committee. He conducted intensive hearings covering every phase of the road and highway situation. He and members of the subcommittee worked for many weeks in shaping into meaningful form for America, this bill now under debate.

As a member of the House Public Works Committee, I am aware that the highway bill is perhaps too comprehensive for just one speaker to discuss in detail. Therefore, I would like to address my remarks to that portion dealing with the long-range development program for the national forests. That program—which has the building of new forest roads and trails as its keystone—was recommended last September by the President following a study made by the Department of Agriculture.

Funds spent on forest roads and trails development represent an investment in America. The dividends they return in terms of receipts to the Treasury for timber harvested, for watershed development, wildlife control, forest protection and recreation for millions of outdoor-minded Americans more than offsets the costs incurred. For the State of Idaho, which has national forest acreage second only in size to that of Alaska, I know that even the limited roads and trails building program of past years has had a profound impact on the economy of the State.

The benefits accruing from this development program are many.

Receipts to the Treasury, for example, will increase to about \$230 million annually by the time the 10-year program

is completed. This is double the current level. The States will benefit from increased payments from these receipts. The capital value of the timber, forage, and lands of the national forest system will increase by some \$2 billion. The program will provide direct employment to some 32,750 workers at its peak. This means jobs for thousands of workers in areas of low employment—and there are a number of such areas in Idaho which concern me. The Forest Service informs me that almost half of the 186 million acres it administers are in distressed areas.

In addition, the timber harvest will rise to about 13 billion feet of saw timber in the program's final year. This represents a consumer value of \$4 billion. And recreation visits are expected to rise to 195 million annually by the year 1972. The business which these visits will generate for the various States will add a value of \$1.5 billion to the economy.

This legislation will, indeed, provide the impetus for an expensive program of additional development in national forests. It would increase funds to \$50 million for fiscal 1963, to \$70 million for fiscal 1964; to \$85 million for fiscal 1965. These expenditures, overdue for many years, would be in full accord with the President's March 1 natural resources message in which he said he would recommend "approval of legislation to be sent to the Congress shortly to accelerate the development of national multipurpose forest roads and trails."

Funds for forest roads and trails in Idaho would be stepped up to \$5 million for fiscal 1963, \$7 million for 1964, and \$8.5 million in 1965. It would greatly spur activity in the State, providing a tremendous boost to the economy. The State itself should also benefit through increased revenues derived from hunting and fishing licenses as additional visitors are accommodated. Roads and trails built in the State and paid for through federally appropriated funds totaled 118 miles in 1958, 133 miles in 1959, 123 miles in 1960, and 97 miles in 1961. Roads built by timber operators, with the Government supplying the funds indirectly through timber sales agreements, amounted to 472 miles in 1958, 386 miles in 1959, 448 miles in 1960, and 507 miles in 1961. All of these totals would be stepped up considerably under the authorization provided by this legislation.

The legislation, moreover, also provides another \$2 million for 1964 and \$4 million for 1965 for the Bureau of Land Management to use in road and trail work on forest and grazing lands within its jurisdiction. Idaho's share of this program, which would dovetail with the Forest Service program, would be an estimated \$336,000 for the first year and more than \$700,000 for the second year. This would enable the Bureau of Land Management to make needed improvements to the areas within its jurisdiction, and, in the process, increase their value and uses to the public.

In conclusion, I would strongly urge that the House approve this bill. It is an investment in America, one that will greatly contribute to a better America in the years ahead.

Mr. FALLON. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, I agree with the gentleman from New York [Mr. ROBISON] that this is a very serious proposition and one that needs deliberate consideration. As one member of the committee I should like to give him assurances, as well as to all the members of the committee, that we shall go into this whole proposition and examine it very closely because I can appreciate the tremendous economic question posed to the States in trying to make a plan for the interstate program. Certainly, I want to assure him that in the future I will go along with his suggestion for a total examination of the problem.

Mr. ROBISON. I thank the gentleman for that offer of support.

Mr. JONES of Alabama. I would go along with the gentleman's proposal now but I think it is of such large proportions that we should not consider it at the moment.

Mr. SCHERER. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. RIEHLMAN].

Mr. RIEHLMAN. Mr. Chairman, I commend my colleague from New York [Mr. ROBISON], for his timely remarks and certainly want to associate myself with the gentleman regarding the importance of coming to grips with this matter of reimbursement.

This has been particularly close to my heart for some time now and I am looking forward to the day when the account books will be squared and New York State, among others, will no longer be penalized for her initiative and foresight in building at her own expense the fine superhighways which were subsequently included in the Interstate System.

I want to commend the gentleman from Maryland [Mr. FALLON] and the gentleman from Alabama [Mr. JONES] for their sincere expressions of interest in this problem. There are several bills dealing with this matter pending before my colleagues' committee, two of which I have introduced, and I certainly welcome and thank them for their willingness to give these important bills serious consideration.

(Mr. RIEHLMAN asked and was given permission to revise and extend his remarks.)

Mr. SCHERER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. KNOX].

(Mr. KNOX asked and was given permission to revise and extend his remarks.)

Mr. KNOX. Mr. Chairman, I take this time to make further inquiry on the subject which I discussed with the

gentleman from Ohio a few minutes ago. We have to go back, of course, to the creation of the Interstate System. At that time I think Congress was cognizant of the fact that there certainly should be every consideration given to keeping the highways beautified and without billboard signs being constructed.

However, on December 12, 1961, the Bureau of Roads, through the Administrator, Mr. Rex M. Whitton, sent us a memorandum relative to the use of highways for directional and advertising signs. It is my understanding from the interpretation of the memorandum that it did not apply to those roads that were constructed prior to the date of the memorandum but to any new highways, whether they be interstate, A-B-C, or State highways.

When you get into A-B-C highways you get back into the county road system. In many cases the county roads are receiving Federal aid. So they have also applied the provisions of the memorandum to the A-B-C roads.

In the rural areas of our great Nation, and we have many of them, there are business houses located where people possibly are looking for them, but the people are unable to determine where they must turn off the main highway in order to get to their destination. The Michigan highway commissioner, Mr. John C. Mackie, has taken it upon himself to claim that it is a directive from the Bureau of Roads that all signs be removed from those roads that were constructed prior to the memorandum. This memorandum provides:

Other Federal-aid projects: Primary (other than interstate), secondary, urban, and other classes of Federal-aid construction projects shall not be accepted until all encroachments have been removed from the right-of-way therefor, except that where awnings, canopies, marquees, advertising signs, and similar installations which were in place prior to the authorization to proceed with the current Federal-aid project and which are supported entirely from outside the highway right-of-way, may be permitted to remain under a revocable permit from the State highway department.

To me, this is the strong arm of Government calling upon the small businessman and directing him to take from his business house the right to advertise his place of business. This is something that is very serious. It is going to handicap the small businessman and will cause great inconvenience to the people who have dedicated themselves to make available necessary tourist facilities along the respective highways where such facilities often are set back a considerable distance from the highway. But the Michigan Highway Department, through the Bureau of Public Roads, is now refusing them the right to have even a directional sign to indicate where their place of business is.

I should like to ask the chairman of the Committee on Public Works whether it was the intent of the Congress at the time we created the Interstate System, that we were going to prohibit the right of people living on county roads and State highways that are not a part of the Interstate System from the right to have a directional sign or advertising sign in front of their place of business?

Mr. FALLON. As I understand the gentleman, he is talking about local roads or county roads. The law that the Congress passed only applies to the Interstate System within a certain distance of a metropolitan area. Therefore, what the gentleman is referring to must be the result of a local government body regulation or the State legislature of his State.

Mr. KNOX. I might say to my good chairman that the interpretation that is put on the Interstate Highway Act is that any roads which received Federal aid, and the county roads, as you well know, are a part of the A-B-C system and receive Federal matching funds. Therefore, the State highway department in Michigan has directed that the county road commission enforce this act, and, therefore, no directional signs or any signs in front of their place of business are permitted.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield to the gentleman.

Mr. SCHERER. I think we are talking about two different things. Legislation was passed with reference to signboards and billboards in connection with the Interstate System. There is a provision in the law with which I am not entirely familiar that gives to the Bureau of Public Roads the right to regulate signs within the highway right-of-way. I think that is what the gentleman is talking about, about some bulletin or some regulation issued by the Bureau of Public Roads with reference to that type of sign.

Mr. KNOX. That is right. That is what I had reference to. It is my hope at least that we are going to get a clarification of this memorandum in an endeavor to bring about a situation that will be satisfactory to most of these people who depend on these directional signs and advertising signs in front of their places of business.

Mr. FALLON. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Chairman, I wish to say a few words on the action which has been taken by the Committee on Natural Resource Road Development.

The gentleman from Maryland has again brought before us a well-balanced bill. In the previous Congress, this committee gave substantial recognition to the need for forest roads. The bill now before us provides the most substantial

increase that has ever been made for forest roads and trails.

I would particularly like to commend the chairman and the members of the committee for the effective action they have taken on behalf of forest resources development.

I had before the committee a bill to provide a somewhat larger authorization. While I believe that this larger authorization could have been wisely expended, I also recognize the tremendous step forward taken by the committee.

I am especially pleased to note that in the report the committee recognizes that further increases will be required in future years. I am also pleased to see that the committee has given definite instructions to the Forest Service that they take every reasonable step to make all possible savings and improvements.

The funds for forest development roads and trails which would be authorized by H.R. 12135 mark the second step in the accelerated program for multiple-purpose forest roads and trails which the President recommended in his message on our conservation program, March 2, this year. This acceleration is prerequisite to the progress and success of the development program for the national forests which the President sent to the Congress September 21, 1961.

The road and trail construction scheduled for the decade will cost about \$1.7 billion. The plan for this work contemplates financing with \$1.2 billion appropriated funds and \$474 million by timber purchasers. During the same period maintenance costing \$242 million will be necessary of which \$182 million should be from appropriated funds. To accomplish this an accelerated buildup in appropriations is necessary in the first years of the decade.

The development program includes all of the work that must be done in the national forests during fiscal years 1963 through 1972 if the forests are to meet the demand for forest products and

services which will be placed on them during the decade. The heaviest pressures will be on the timber and recreation resources. In 1973 a timber cut of 13 billion board feet will be required to meet the needs of the national economy. Last year, the cut was 8.4 billion board feet. In 1973 the forests will receive at least 195 million visits for camping, hunting, fishing, picnicking, and other forms of recreation. Last year there were 102 million such visits. The need for servicing these two resources alone accounts for more than 80 percent of the road and trail work called for in the development program.

Since accessibility is prerequisite to the development and use of forest resources as well as to protect them, the funds which H.R. 12135 would authorize are the keystone to the program for the next 10 years. They are also the foundation for continued development of national forests resources in years to come and to meet the demands that will exist for products and services of the forests in the year 2000. At that time, the road and trail system must provide access so that we can protect watersheds yielding more than 200 million acre-feet of water annually; service 635 million visits a year for recreation; harvest 21 billion board feet of timber a year; and service grazing on 60 million acres of rangelands. At this level of use, it is expected that receipts to the Treasury from the national forests will be over \$400 million a year. Last year receipts were \$99.6 million.

The benefits that will result from the development program during the next 10 years are great. By 1972 it is expected that receipts to the Treasury from the national forests will reach a level of \$230 million annually. The projected timber harvest for that year—13 billion board feet—will have a consumer value of over \$4 billion and provide livelihood for 800,000 people. Recreation use at a level of 195 million visits

in 1972 will put more than \$1.5 billion into trade channels. At that time, the capital value of the lands and resources of the national forest estate will have increased by \$2 billion.

There are four tables which I would like to insert in the RECORD at the conclusion of my remarks. The first table sets forth the estimated cost of the national forest program for roads and trails through 1972 and by State. The second table shows the percent of the program in each State. The third table shows the expenditures for construction and maintenance both with appropriated funds and by timber purchasers. The fourth table shows the relationship between national forest receipts per acre.

Oregon accounts for approximately 40 percent of the total income received by the national forests but the obligation of road funds in Oregon amounts to only one-sixth of the total expenditures. The third table shows that the timber purchasers in Oregon in 1962 will have been required to do three times as much road construction and maintenance as was accomplished with appropriated funds. This situation places a great drain on national forest receipts and adversely affects the income of our counties.

The forest road program is spread over all of the States and only 18 percent of the contemplated expenditures will occur in Oregon. While to some this may seem to be a disproportionately large amount, this expenditure must be weighed against the great income-producing capabilities of Oregon's 15 million acres of national forests. This legislation will be of substantial benefit in not only increasing the road and trail program but in enabling Oregon's national forests to treat more fairly our counties while at the same time paying handsome dividends to the Federal Treasury.

The above-mentioned tables follow:

TABLE 1.—National forest development program, roads and trails, fiscal years 1963-72

Region	State	CONSTRUCTION AND RECONSTRUCTION													
		Timber roads						Recreation, Government		Other Government		Total roads Government ¹		Trails, Government	
		Purchaser		Government ¹		Total		Miles	\$1,000	Miles	\$1,000	Miles	\$1,000	Miles	\$1,000
		Miles	\$1,000	Miles	\$1,000	Miles	\$1,000								
1	Idaho.....	2,610	28,715	888	37,119	3,498	65,834	160	4,400	958	17,252	2,006	58,771	612	2,259
	Montana.....	3,350	36,840	1,147	47,627	4,497	84,467	300	8,145	919	16,548	2,366	72,320	1,148	4,237
	South Dakota.....							19	285	21	352	40	637		
	Washington.....	380	4,185	130	5,409	510	9,594	49	1,426	58	1,056	237	7,891	77	284
	Total.....	6,340	69,740	2,165	90,155	8,505	159,895	528	14,256	1,956	35,208	4,649	139,619	1,837	6,780
2	Colorado.....	456	3,649	967	19,800	1,423	23,449	535	11,779	2,618	47,123	4,120	78,702	532	2,140
	Nebraska.....	2	14	4	77	6	91	2	46	10	183	16	306	2	8
	South Dakota.....	47	379	100	2,055	148	2,434	56	1,223	272	4,891	428	8,169	60	222
	Wyoming.....	128	1,022	271	5,545	398	6,567	150	3,298	733	13,197	1,154	22,040	164	600
	Total.....	633	5,064	1,342	27,477	1,975	32,541	743	16,346	3,633	65,394	5,718	109,217	808	2,970
3	Arizona.....	403	1,830	466	11,697	869	13,527	496	10,256	1,184	22,387	2,146	44,340	251	928
	New Mexico.....	512	1,830	594	11,698	1,106	13,528	244	6,024	822	13,721	1,660	31,443	250	927
	Total.....	915	3,660	1,060	23,395	1,975	27,055	740	16,280	2,006	36,108	3,806	75,783	501	1,855
4	California.....	24	246	48	1,168	72	1,414	34	753	34	599	116	2,520	38	140
	Colorado.....			1	26	1	26	5	110	2	36	8	172	12	44
	Idaho.....	1,304	13,042	1,110	30,942	2,414	43,984	586	12,903	716	12,893	2,412	56,738	941	3,482
	Nevada.....			13	290	13	290	190	4,173	401	7,222	604	11,685	136	502
	Utah.....	282	2,816	351	9,134	633	11,950	894	19,666	581	10,460	1,826	39,260	452	1,688
	Wyoming.....	150	1,496	229	5,784	379	7,280	184	4,041	103	1,856	516	11,681	385	1,424
	Total.....	1,760	17,600	1,752	47,344	3,512	64,944	1,893	41,646	1,837	33,066	5,482	122,056	1,904	7,280
5	California.....	5,478	76,689	3,005	105,534	8,483	182,223	1,382	35,932	3,678	66,204	8,065	207,670	1,049	3,900
	Nevada.....														
	Oregon.....	12	171	10	306	22	477					10	306		
	Total.....	5,490	76,860	3,015	105,840	8,505	182,700	1,382	35,932	3,678	66,204	8,075	207,976	1,049	3,900
6	California.....	76	1,528	52	1,783	128	3,311		12	2	87	54	1,882	50	42
	Oregon.....	11,462	192,049	5,489	203,763	16,951	395,812	465	12,694	874	14,729	6,828	231,186	748	2,281
	Washington.....	4,462	94,423	2,876	101,713	7,338	196,136	242	6,383	292	6,208	3,410	114,304	610	2,897
	Total.....	16,000	288,000	8,417	307,259	24,417	595,259	707	19,089	1,168	21,024	10,292	347,372	1,408	5,220
7	Kentucky.....	77	140	91	2,228	168	2,368	25	361	155	2,230	271	4,819	15	50
	Maine.....	7	18	5	176	12	194	5	130	8	218	18	524	12	60
	New Hampshire.....	46	115	43	1,387	89	1,502	20	520	85	1,888	148	3,795	45	240
	Pennsylvania.....	55	118	53	1,486	108	1,604	56	1,230	77	1,238	186	3,954	45	125
	Vermont.....	45	114	75	1,660	120	1,774	20	520	62	1,362	157	3,542	50	175
	Virginia.....	136	247	170	3,777	306	4,024	41	593	216	2,972	427	7,342	20	85
	West Virginia.....	89	158	96	2,379	185	2,537	24	408	171	2,476	291	5,263	32	80
	Total.....	455	910	533	13,093	988	14,003	191	3,762	774	12,384	1,498	29,239	219	815
8	Alabama.....	31	157	205	3,169	236	3,326	5	122	43	688	253	3,979		
	Arkansas.....	158	776	609	10,776	767	11,552	23	469	82	1,320	714	12,565		
	Florida.....	4	26	181	3,820	185	3,840	30	676	26	410	237	4,906		
	Georgia.....	143	724	180	4,724	323	5,448	45	1,023	47	750	272	6,497	13	49
	Louisiana.....	21	105	157	3,605	178	3,710	8	175	31	500	196	4,280		
	Mississippi.....	80	403	200	4,903	280	5,306	8	175	19	300	227	5,378		
	North Carolina.....	115	584	241	5,584	356	6,168	83	1,837	44	700	368	8,121	86	309
	Oklahoma.....			40	1,500	40	1,500	1	22	10	160	51	1,682		
	South Carolina.....	69	348	190	1,848	259	2,196	14	286	27	435	231	2,569		
	Tennessee.....	24	121	205	4,121	229	4,242	64	1,410	46	741	315	6,272	36	132
	Texas.....	135	662	205	2,962	340	3,624	9	185	44	700	258	3,847		
	Total.....	780	3,900	2,413	47,012	3,193	50,912	290	6,380	419	6,704	3,122	60,096	135	490
9	Illinois.....	10	30	30	270	40	300	55	1,100	30	420	115	1,790		
	Indiana.....	5	10	15	145	20	155	55	1,100	12	168	82	1,413		
	Iowa.....														
	Michigan.....	170	645	370	4,415	540	5,060	600	12,570	110	1,780	1,080	18,765		
	Minnesota.....	130	675	300	5,368	430	6,043	550	13,430	114	2,141	964	20,939	34	126
	Missouri.....	30	70	90	880	120	950	205	4,100	65	840	360	5,820		
	North Dakota.....														
	Ohio.....	5	10	15	145	20	155	35	700	8	112	58	957		
	Wisconsin.....	105	380	205	2,550	310	2,930	450	9,900	85	1,323	740	13,773		
	Total.....	455	1,820	1,025	13,773	1,480	15,593	1,950	42,900	424	6,784	3,399	63,457	34	126
10 T.R.	Alaska.....	100	6,446	220	15,701	320	22,147	76	7,239	75	3,124	371	26,064	45	164
	Puerto Rico.....									30	2,000	30	2,000		
Grand total.....		32,928	474,000	21,942	691,049	54,870	1,165,049	8,500	203,830	16,000	288,000	46,442	1,182,879	8,000	29,600

¹ Government expense includes allowance for supplementing purchaser construction.

TABLE 1.—National forest development program, roads and trails fiscal years 1963-72—Continued

PROGRAM COST
[Thousands of dollars]

Re- gion	State	Construction and reconstruction			Maintenance			Total		
		Purchase	Government	Total	Purchase	Government	Total	Purchase	Government	Total
1	Idaho.....	28,715	61,030	89,745	3,500	11,673	15,173	32,215	72,703	104,918
	Montana.....	36,840	76,557	113,397	4,490	14,641	19,131	41,330	91,198	132,528
	South Dakota.....		637	637		123	123		760	760
	Washington.....	4,185	8,175	12,360	510	1,563	2,073	4,658	9,738	14,433
	Total.....	69,740	146,399	216,139	8,500	28,000	36,500	78,240	174,399	252,639
2	Colorado.....	3,649	80,842	84,491	1,008	9,368	10,377	4,685	90,210	94,868
	Nebraska.....	14	314	328	4	36	40	18	351	369
	South Dakota.....	379	8,392	8,770	105	972	1,077	484	9,364	9,847
	Wyoming.....	1,022	22,639	23,662	283	2,624	2,906	1,304	25,262	26,567
	Total.....	5,064	112,187	117,251	1,400	13,000	14,400	6,464	125,187	131,651
3	Arizona.....	1,830	45,268	47,098	1,225	5,880	7,105	3,055	51,148	54,203
	New Mexico.....	1,830	32,370	34,200	1,275	6,120	7,395	3,105	38,490	41,595
	Total.....	3,660	77,638	81,298	2,500	12,000	14,500	6,160	89,638	95,798
4	California.....	246	2,660	2,906	74	144	218	320	2,804	3,124
	Colorado.....		216	216		18	18		234	234
	Idaho.....	13,042	60,220	73,262	3,927	9,218	13,145	16,969	69,438	86,407
	Nevada.....		12,187	12,187		1,158	1,158		13,345	13,345
	Utah.....	2,816	40,948	43,764	848	5,682	6,430	3,664	46,530	50,194
	Wyoming.....	1,496	13,105	14,601	451	1,880	2,331	1,947	14,985	16,932
	Total.....	17,600	129,336	146,936	5,300	18,000	23,300	22,900	147,336	170,236
5	California.....	76,689	211,570	288,259	13,659	27,915	41,574	90,348	239,485	329,833
	Nevada.....									
	Oregon.....	171	306	477	41	85	126	212	391	603
	Total.....	76,860	211,876	288,736	13,700	28,000	41,700	90,560	239,876	330,436
6	California.....	1,528	1,924	3,452	36	182	218	1,564	2,106	3,670
	Oregon.....	192,049	233,467	425,516	19,386	21,927	41,313	211,435	255,394	466,829
	Washington.....	94,423	117,201	211,624	8,178	10,891	19,069	102,601	128,092	230,693
	Total.....	288,000	352,592	640,592	27,600	33,000	60,600	315,600	385,592	701,192
7	Kentucky.....	140	4,869	5,009	31	1,374	1,405	171	6,243	6,414
	Maine.....	18	584	602	4	144	148	22	728	750
	New Hampshire.....	115	4,035	4,150	25	1,116	1,141	140	5,151	5,291
	Pennsylvania.....	118	4,079	4,197	26	1,338	1,364	144	5,417	5,561
	Vermont.....	114	3,717	3,831	25	738	763	139	4,455	4,594
	Virginia.....	247	7,427	7,674	54	2,940	2,994	301	10,367	10,668
	West Virginia.....	153	5,343	5,501	35	2,350	2,385	193	7,693	7,886
	Total.....	910	30,054	30,964	200	10,000	10,200	1,110	40,054	41,164
8	Alabama.....	157	3,979	4,136	69	1,200	1,269	226	5,179	5,405
	Arkansas.....	776	12,565	13,341	142	4,350	4,492	918	16,915	17,833
	Florida.....	20	4,906	4,926	53	2,520	2,573	73	7,426	7,499
	Georgia.....	724	6,546	7,270	52	1,680	1,732	776	8,226	9,002
	Louisiana.....	105	4,280	4,385	33	1,570	1,603	138	5,850	5,988
	Mississippi.....	403	5,378	5,781	13	2,310	2,323	416	7,688	8,104
	North Carolina.....	584	8,430	9,014	32	2,500	2,532	616	10,930	11,546
	Oklahoma.....		1,682	1,682	11	250	261	11	1,932	1,943
	South Carolina.....	348	2,569	2,917	21	1,230	1,251	369	3,799	4,168
	Tennessee.....	121	6,404	6,525	42	1,430	1,472	163	7,834	7,997
	Texas.....	662	3,847	4,509	32	1,960	1,992	694	5,807	6,501
	Total.....	3,900	60,586	64,486	500	21,000	21,500	4,400	81,586	85,986
9	Illinois.....	30	1,790	1,820	6	470	476	36	2,260	2,296
	Indiana.....	10	1,413	1,423	2	200	202	12	1,613	1,625
	Iowa.....									
	Michigan.....	645	18,765	19,410	116	5,230	5,346	761	23,995	24,756
	Minnesota.....	675	21,065	21,740	95	3,820	3,915	770	24,885	25,655
	Missouri.....	70	5,820	5,890	18	1,850	1,868	88	7,670	7,758
	North Dakota.....									
	Ohio.....	10	957	967	1	130	131	11	1,087	1,098
	Wisconsin.....	380	13,773	14,153	62	3,300	3,362	442	17,073	17,515
	Total.....	1,820	63,583	65,403	300	15,000	15,300	2,120	78,583	80,703
10 T.R.	Alaska.....	6,446	26,228	32,674	500	3,500	4,000	6,946	29,728	36,674
	Puerto Rico.....		2,000	2,000					2,000	2,000
Grand total.....		474,000	1,212,479	1,686,479	60,500	181,500	242,000	534,500	1,393,979	1,928,479

TABLE 2.—Development program for the national forests—Roads and trails, fiscal years 1963-72

State	Total Government construction, reconstruction, and maintenance			State	Total Government construction, reconstruction, and maintenance		
	Amount (thousands)	Percent of national forest program	Percent of region program		Amount (thousands)	Percent of national forest program	Percent of region program
Region 1:				Region 7:			
Idaho.....	\$72,703	5.2	41.7	Kentucky.....	\$6,243	0.4	15.6
Montana.....	91,198	6.5	52.3	Maine.....	728	.1	1.8
South Dakota.....	760	.1	.4	New Hampshire.....	5,151	.4	12.9
Washington.....	9,738	.7	5.6	Pennsylvania.....	5,417	.4	13.5
Total.....	174,399	12.5	100.0	Vermont.....	4,455	.3	11.1
Region 2:				Virginia.....	10,867	.7	25.9
Colorado.....	90,210	6.5	72.0	West Virginia.....	7,693	.6	19.2
Nebraska.....	351		.3	Total.....	40,054	2.9	100.0
South Dakota.....	9,364	.7	7.5	Region 8:			
Wyoming.....	25,262	1.8	20.2	Alabama.....	5,179	.4	6.3
Total.....	125,187	9.0	100.0	Arkansas.....	16,915	1.2	20.7
Region 3:				Florida.....	7,426	.5	9.1
Arizona.....	51,148	3.6	57.1	Georgia.....	8,226	.6	10.1
New Mexico.....	38,490	2.8	42.9	Louisiana.....	5,850	.4	7.2
Total.....	89,638	6.4	100.0	Mississippi.....	7,688	.6	9.4
Region 4:				North Carolina.....	10,930	.8	13.4
California.....	2,804	.2	2.0	Oklahoma.....	1,932	.1	2.4
Colorado.....	234		.1	South Carolina.....	3,799	.3	4.7
Idaho.....	69,438	5.0	47.1	Tennessee.....	7,834	.6	9.6
Nevada.....	13,345	1.0	9.0	Texas.....	5,807	.4	7.1
Utah.....	46,530	3.3	31.6	Total.....	81,586	5.9	100.0
Wyoming.....	14,985	1.1	10.2	Region 9:			
Total.....	147,336	10.6	100.0	Illinois.....	2,260	.2	2.9
Region 5:				Indiana.....	1,613	.1	2.0
California.....	239,435	17.2	99.8	Iowa.....			
Nevada.....				Michigan.....	23,995	1.7	30.5
Oregon.....	391		.2	Minnesota.....	24,885	1.8	31.7
Total.....	239,876	17.2	100.0	Missouri.....	7,670	.5	9.8
Region 6:				North Dakota.....			
California.....	2,106	.2	.6	Ohio.....	1,087	.1	1.4
Oregon.....	255,394	18.3	66.2	Wisconsin.....	17,073	1.2	21.7
Washington.....	128,092	9.2	33.2	Total.....	78,583	5.6	100.0
Total.....	385,592	27.7	100.0	Region 10: Alaska.....	29,728	2.1	100.0
				Territorial region: Puerto Rico.....	2,000	.1	100.0
				Grand total.....	1,393,979	100.0	100.0

TABLE 3.—Construction and maintenance—Forest development road and trail program

State	Appropriated funds			Value of work by purchaser			State	Appropriated funds			Value of work by purchaser		
	Fiscal year 1960	Fiscal year 1961	Estimate, fiscal year 1962	Fiscal year 1960	Fiscal year 1961	Estimate, fiscal year 1962		Fiscal year 1960	Fiscal year 1961	Estimate, fiscal year 1962	Fiscal year 1960	Fiscal year 1961	Estimate, fiscal year 1962
Alabama.....	\$175,639	\$239,649	\$234,850	\$49,300	\$18,116	\$18,000	New Mexico.....	\$1,192,683	\$914,244	\$1,000,187	\$184,700	\$261,248	\$411,000
Alaska.....	772,779	1,018,256	1,385,545	1,827,080	2,593,750	638,000	North Carolina.....	327,479	313,897	489,740	30,734	5,749	24,000
Arizona.....	1,208,237	1,145,478	1,247,381	245,640	560,816	502,000	North Dakota.....						
Arkansas.....	523,938	496,624	581,800	83,231	76,930	44,000	Ohio.....	66,650	11,243	11,993			
California.....	7,182,096	7,122,149	7,772,770	8,249,590	3,363,048	8,915,000	Oklahoma.....	47,015	37,871	59,400			
Colorado.....	1,958,863	1,987,983	2,157,335	225,420	208,560	625,000	Oregon.....	6,426,640	7,594,105	8,565,548	23,630,617	22,896,695	22,567,000
Florida.....	214,993	299,404	266,100	4,355	14,130	19,000	Pennsylvania.....	190,833	207,911	247,853	1,016	24,693	39,000
Georgia.....	197,922	261,904	389,709	24,941	53,524	39,000	Puerto Rico.....	4,745	34,530	33,000			
Idaho.....	5,160,920	4,129,864	5,196,775	3,956,000	2,743,104	3,370,000	South Carolina.....	183,502	204,079	282,400	63,133	67,619	42,800
Illinois.....	59,374	69,737	96,378				South Dakota.....	255,540	241,233	203,756	34,480	14,485	38,000
Indiana.....	10,592	11,877	34,025				Tennessee.....	296,902	267,160	302,300	12,943	6,619	3,000
Iowa.....							Texas.....	256,320	208,673	263,400	37,678	39,010	16,495
Kentucky.....	306,615	211,733	245,081	16,377	11,683	27,000	Utah.....	1,138,083	1,183,171	1,248,488	90,319	163,370	82,000
Louisiana.....	208,763	223,755	211,400	26,908	22,325	12,000	Vermont.....	162,986	144,959	205,518	8,977	33,539	16,000
Maine.....	23,626	19,017	20,300	1,215		11,000	Virginia.....	435,130	394,145	485,485	43,377	20,369	41,000
Michigan.....	646,742	516,915	713,038	38,185	29,300	27,000	Washington.....	4,551,039	5,004,184	5,727,164	10,647,051	12,237,395	11,188,000
Minnesota.....	1,127,993	1,237,740	1,139,147	29,114	42,951	86,000	West Virginia.....	298,317	249,615	361,186	40,020	18,455	40,000
Mississippi.....	271,068	280,174	341,000	22,841	67,999	26,000	Wisconsin.....	417,105	397,788	577,848	7,607	9,578	58,800
Missouri.....	176,183	211,095	211,571				Wyoming.....	888,134	1,206,998	1,146,481	143,040	92,994	261,000
Montana.....	3,411,887	3,916,440	3,784,600	2,613,834	2,783,523	3,085,000	Distriet of Columbia.....	567,627	737,864	878,000			
Nebraska.....	21,896	14,995	20,754				Total.....	41,975,838	43,465,899	48,612,532	52,443,082	48,521,467	52,303,095
Nevada.....	169,338	405,621	186,016										
New Hampshire.....	439,649	291,814	287,210	53,359	34,890	31,000							

TABLE 4.—National forest area—Receipts, road fund relationships, fiscal year 1961

State	National forest lands owned by United States (acres)	Receipts		Road funds (obligated)		State	National forest lands owned by United States (acres)	Receipts		Road funds (obligated)	
		Total	Per acre	Total	Per acre			Total	Per acre	Total	Per acre
Alabama.....	631,773	\$726,439	\$1.15	\$239,649	\$0.38	New Hampshire.....	\$677,660	\$172,481	\$0.25	\$291,814	\$0.43
Alaska.....	20,741,994	53,159	.003	1,018,256	.05	New Mexico.....	8,573,342	585,095	.07	914,244	.11
Arizona.....	11,396,578	1,707,856	.15	1,145,478	.10	North Carolina.....	1,124,152	530,603	.47	313,897	.28
Arkansas.....	2,407,250	3,481,941	1.45	496,624	.21	North Dakota.....	520	203	.39		
California.....	19,943,339	10,769,846	.54	7,122,149	.14	Ohio.....	107,907	32,754	.30	11,248	.10
Colorado.....	13,710,311	1,111,651	.08	1,987,983	.14	Oklahoma.....	221,653	473,891	2.14	37,871	.17
Florida.....	1,074,972	860,065	.80	299,404	.28	Oregon.....	15,358,593	40,897,868	2.66	7,594,105	.49
Georgia.....	777,159	790,476	1.02	261,904	.34	Pennsylvania.....	471,077	512,998	1.09	207,911	.44
Idaho.....	20,300,779	4,485,813	.22	4,129,864	.20	Puerto Rico.....	33,037	8,365	.25	34,530	1.05
Illinois.....	211,021	20,307	.10	69,737	.33	South Carolina.....	587,260	1,976,306	3.37	204,079	.35
Indiana.....	119,652	42,531	.36	11,877	.10	South Dakota.....	1,120,813	254,108	.23	241,233	.22
Iowa.....	4,649	665	.14			Tennessee.....	594,770	332,035	.56	267,160	.45
Kentucky.....	459,777	275,080	.60	211,733	.46	Texas.....	657,997	1,887,309	2.87	208,673	.32
Louisiana.....	591,409	1,493,338	2.51	223,755	.38	Utah.....	7,913,303	575,832	.07	1,183,171	.15
Maine.....	49,556	12,465	.25	19,017	.38	Vermont.....	231,901	182,855	.79	144,959	.63
Michigan.....	2,553,718	755,461	.30	516,915	.20	Virginia.....	1,447,249	229,552	.16	394,145	.27
Minnesota.....	2,788,379	568,028	.20	1,237,740	.44	Washington.....	9,688,591	17,239,961	1.78	5,004,184	.52
Mississippi.....	1,133,986	2,737,263	2.41	280,174	.25	West Virginia.....	903,985	390,436	.43	249,615	.28
Missouri.....	1,359,822	184,316	.14	211,095	.16	Wisconsin.....	1,467,532	312,804	.21	397,788	.27
Montana.....	16,635,541	2,045,708	.12	3,916,440	.24	Wyoming.....	8,570,747	620,287	.07	1,206,998	.14
Nebraska.....	245,409	63,417	.26	14,995	.06						
Nevada.....	5,028,028	164,284	.03	405,621	.08	Total.....	181,947,191	99,555,852	1.55	42,728,035	1.23

1 Average.

(Mr. ULLMAN asked and was given permission to revise and extend his remarks.)

Mr. FALLON. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, I have asked for this time to clarify a matter which is referred to on page 9 of the report which reads as follows:

Section 3 of H.R. 12135 would add a new section to title 23, United States Code, section 133, entitled "Relocation Assistance."

My first question is: If a State does not provide any relocation assistance, would the Secretary be required to compel that State to make proper arrangements for relocation assistance?

Mr. FALLON. If the gentleman will yield, may I say to the gentleman first, your State legislature has to pass a law requiring the State to enter into an agreement with the Government for relocation assistance.

Mr. ROGERS of Colorado. In other words, section 3 would not be effective in those States that do not have the law?

Mr. FALLON. No, this is permissive legislation.

Mr. ROGERS of Colorado. This is permissive legislation.

The next question is: There has been an approved route through my district which takes a number of homes. If the State law does not provide for relocation money, then until the legislature approves such a law no money would be available to the State for that purpose. Is that correct?

Mr. FALLON. The cost of the moving of the tenants could not be included in the construction costs, but your State can do anything it wants in the matter of reimbursing these people.

Mr. ROGERS of Colorado. But if the State legislature in 1963, for example, should pass a law then they would have the right to receive money from the Secretary.

Mr. FALLON. Yes.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. SCHERER. Mr. Chairman, I yield the gentleman 3 minutes, because I think we are laboring under some misapprehensions.

Whether a State enacts a law to reimburse tenants for relocating or not does not affect the total apportionment.

Answering the gentleman's first question: Subsection (b) of section 3 states that no highway project in your State may be approved unless the Secretary of Commerce determines that there is one or more feasible methods for relocating people displaced.

Mr. ROGERS of Colorado. May I say to the gentleman that as I read the report it states that this section leaves it up to each State to determine whether or not to make relocation payments. Is that an accurate statement?

Mr. SCHERER. That is an accurate statement, but if a State decides not to make payments they are still bound by the provisions of subsection (b) that I have just mentioned.

Mr. ROGERS of Colorado. In other words, if my State does not have that requirement then they are bound by subsection (b), as I interpret it, that the Secretary, within the allocation made to the State, may require the State regardless of what the State law may be on relocation to then and there pay them for relocating.

Mr. SCHERER. No, no. We are all confused. Let me try to make this clear. The law is discretionary as to whether or not a State will or will not make relocation payments.

Mr. ROGERS of Colorado. The State has to determine that.

Mr. SCHERER. The State must determine that. It does not affect the total highway allocation to that State. However, whether a State does or does not elect to make relocation payments it is bound by paragraph (b) of section 3.

Now we come to an entirely separate question which you raise. It refers to paragraph (b) of section 3. The application of that section has nothing to do with whether the State pays relocation costs or not.

Mr. ROGERS of Colorado. May I interrupt to say that this states that the Secretary prior to the allocation of funds must look this over.

Mr. SCHERER. He has to assure himself that the State has an agency that has a feasible method for moving the people.

Mr. ROGERS of Colorado. The next section of the report here says unless you have a State law, then the State is not obligated to do so.

Mr. SCHERER. We do not read this section that way.

Mr. ROGERS of Colorado. That is what the report says.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from California.

Mr. BALDWIN. There is the one sentence in section (c) that says, however, that the Secretary shall not require the State to pay relocation payments where not authorized by State law. That simply refers to the payment of relocation payments. It in no way has any effect on the requirement of section (b) which would continue to remain effective, and that would mean the Secretary would still have the right to require the State to satisfy about their one or more feasible methods for relocation.

Mr. ROGERS of Colorado. Is not all or part of section 3 something new to be interpreted altogether?

Mr. BALDWIN. It is true section 3 is all new, but the one sentence the gentleman refers to is specifically limited by its wording to relocation payments. It says that the Secretary shall not require the States to pay relocation payments where not authorized by State law, but it does not extend to the question in section (b), its requirement that they have feasible methods of relocating people and rights of way.

Mr. ROGERS of Colorado. In other words, the gentleman reads section (b) that the Secretary may require those, regardless of what the State may do. Is that your interpretation?

Mr. BALDWIN. That is correct.

Mr. ROGERS of Colorado. This report, then, is inaccurate?

Mr. BALDWIN. A report cannot replace clear language in section (b).

Mr. FALLON. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. EDMONDSON].

(Mr. EDMONDSON asked and was given permission to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Chairman, it is now apparent at this stage in the debate that both sides of the aisle are pretty well in agreement on this bill, on its desirability, on its feasibility, and the need to enact it into law, with the exception of a few words that appear in section 3. It seems that there has been a great deal of fire centered on those two words, a great deal of talk about them, the invoking of a number of high authorities on the subject of road building in the attack on those two words, and the argument that they are very extreme language that places power and concentrates too much power in the Secretary of Commerce.

In the first place, let me make it clear the language that appears in the bill at this time is a moderate version of language initially considered by the committee in connection with relocation. The authorship of the particular phrase that is being objected to, "one or more feasible methods," is an authorship I am certain would enjoy considerable esteem on the other side of the aisle. Those are the words suggested by our very able and distinguished colleague from Florida [Mr. CRAMER] who proposed this language be inserted in the bill when we discussed the problem in the first place. I offered the amendment by which the Cramer language was substituted for other language that did appear in the bill. Of course there is no doubt about the fact that the previous language did go a good deal further.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Ohio.

Mr. SCHERER. The fact is that the use of the words "feasible method" was contained in the Buckley bill.

Mr. EDMONDSON. That is quite right, but the Buckley bill said "a feasible method" and left only one feasible method to be set out by the Secretary of Commerce.

The gentleman from Florida pointed out that we ought to allow the State some leeway on this subject, and we ought to make it possible to have one or more feasible methods that could be approved. So the door was opened to a great deal more leeway and latitude on behalf of the States than had been in the bill as originally introduced.

In addition to that, a good deal of very specific language about what "feasible methods" might be was also eliminated from the bill at the insistence and the suggestion of the other side, and a genuine effort was made by the Democratic side of the committee to accommodate the views of our friends on the other side in regard to some of this language.

Now, is the bill as it presently stands an extreme statement of executive power and an extreme concentration of power in the Secretary of Commerce? The gentleman from California who is offering this amendment has told us that it is. I have before me some language that appears in another bill on the same subject which I would like to read to you—which I would like to call to your attention and to the attention of the gentleman from California:

§ 133. Relocation of families displaced by construction of Interstate System

(a) Each agreement entered into under section 110 after the date of the enactment of this section between the Secretary and a State highway department for the construction of a project on the Interstate System shall contain clauses providing that the State will—

(1) assure that there are, or are being provided, in areas within the locality of such project not generally less desirable than the area of such project in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of individuals and families displaced by the construction of such project, decent, safe, and sanitary dwellings, equal in number to the number of such displaced individuals and families, which are available to such displaced individuals and families and are reasonably accessible to their places of employment;

(2) in localities where State or local agencies already administer relocation programs, provide assistance through such agencies in the relocation of individuals and families displaced by the construction of such project; and

(3) make relocation payments to individuals and families displaced by the construction of such project for their reasonable and necessary moving expenses, not exceeding \$200 in the case of any individual or family. Any such agreement shall also provide that the Secretary will reimburse the State for the full costs of relocation payments made pursuant to the requirements of paragraph (3).

(b) There are authorized to be appropriated for each fiscal year such sums as may be necessary to enable the Secretary to fulfill his obligations under agreements entered into under section 110 to reimburse the States for relocation payments to displaced individuals and families made pursuant to the requirements of paragraph (3) of subsection (a).

(b) The table of contents for such chapter is amended by adding at the end thereof the following item:

"133. Relocation of families displaced by construction of Interstate System."

Now, that is language that appears in another bill. I would like to ask the gentleman from California if he regards that as an extreme concentration of power on this subject. I yield to the gentleman to answer that.

Mr. BALDWIN. I have stated that in my opinion the section that we have before us in the bill should be revised in the manner shown in my amendment. That is my position. My position is supported by the American Automobile Association, by the National Association of Road Builders, by testimony in our hearings, and by the American Association of State Highway Officials.

Mr. EDMONDSON. Will the gentleman respond to the question? Does he regard this other language as extreme

or as a free exercise of Federal power in this area?

Mr. BALDWIN. I believe that we should not put power into the hands of the Secretary of Commerce that up to now has been left to the States in this field.

Mr. EDMONDSON. Would not the gentleman agree that this language goes a great deal further in spelling out what the States must do; language requiring that they have relocation payments and requiring that they have relocation agencies assisting people in relocating?

Mr. BALDWIN. I have not read the bill you are referring to, and I am not proposing to go into a bill that I have not read.

Mr. EDMONDSON. Let me inform the gentleman that the bill I just read from is a bill that bears the distinguished authorship of the minority leader of the other body, and also the former national chairman of the Republican National Committee and the senior Senator from the State of California.

Mr. BALDWIN. May I say that this House has shown quite clearly this year that words used in the other body are not the last words on any legislation.

Mr. EDMONDSON. I agree with that. Would not the gentleman agree that the language proposed by these gentlemen goes a great deal further in the direction of telling the States what they must do on relocation than the moderate language contained in the bill before the committee?

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Back to the interpretation of section 3, which deals with the relocation assistance, do I understand that you, as a member of the committee, say the Secretary's power to require certain things in connection with relocation payments is limited by the State law?

There will be a State law before he can make these requirements?

Mr. EDMONDSON. Very obviously the Secretary cannot require of a State an illegal act by one of its officials and the State officer could not be required by the Secretary to do something unlawful within the State. So if legislation is necessary in some directions, certainly there would have to be action by the Legislature before any requirement could be exacted of the State by the Secretary of the Department of Commerce.

Now, Mr. Chairman, let us put this thing in context for just a minute in the overall bill and what we are trying to get done. We are finding here in this piece of legislation that equity and fairness require that in connection with this great highway-building program we should make some provision not only for relocation of utilities which we have already voted and for which we have already spent \$170 million, but that we should also make some provision for families, for business people, and for farmers who are displaced from their homes or from their places of business by the roadbuilding program. Esti-

mates are that there are 15,000 families every year being displaced by the action of the Federal Government and by the action of the States in connection with these Federal road construction programs. Estimates are that over 1,500 businesses are being forced to move. This committee is saying—and I think the other side is going along with us on the principle at least—that it is desirable to do something helpful for those individuals, to do something to assist them in their relocating. We are also saying this: I hope you will bear with me as I present it for just a minute. We are also saying that we believe we have in our Federal Road Administrator, Mr. Whitton, who had experience for a number of years as a State highway administrator in the State of Missouri and built one of the finest highway programs in the country, that we have confidence in him to have a program in this connection that meets with the approval of the States and the people back there. We are giving him latitude in this area. But bear in mind this: The man in whom the ultimate authority rests to determine the feasible method is the Secretary of the Department of Commerce of the United States, one of the most distinguished Americans serving in Government today, an able and honored former Governor of a great Southern State. We are saying to that Secretary of the Department of Commerce as well as to Mr. Whitton "We have confidence in you to spell out feasible methods."

Mr. Chairman, several different kinds of feasible methods that can be followed by the States can be of assistance to people, farmers, and families that are displaced by this road program. These feasible methods—if you have any questions about them—several of them, at least, have been spelled out by the General Counsel of the U.S. Department of Commerce in a memorandum dated July 16, 1962. They could include such things as a continuing survey of the neighborhood affected by the proposed project to include a determination of the number of families displaced, the nature of their interest in real property. With respect to tenants, the amount of their rent; with respect to owners the approximate value of the property, and the general areas wherein families would be displaced are known. This could include a survey or information with respect to the availability of housing within which displaced persons might be relocated. It certainly should include a survey of currently available housing to be taken from newspaper listings, contacts with real estate brokers, builders, local and public housing officials, and so forth. It certainly should include firm arrangements with housing agencies and cooperating real estate agencies to provide full information to these displaced people with respect to vacancies and opportunities to obtain loans to secure new housing if necessary. There are a number of things that can be done in the way of rendering assistance to these dislocated people.

Mr. Chairman, I have every confidence in the Secretary of Commerce and

in his Road Administrator. I have confidence that a man who has served as State highway administrator for a number of years and is highly respected by the people throughout the States who are in the roadbuilding field will carry this out with commonsense. Certainly you do not want to cast a vote of no confidence in our Secretary of Commerce and in our Road Administrator that the Baldwin amendment asks you to take. You should turn down the Baldwin amendment. And remember this. They said to you that the American Automobile Association and the Roadbuilders Association and the State highway officials are opposed to this language. But these three organizations do not have any obligation of any kind to the farmers and the business people and the families who are being displaced. They have an obligation to roadbuilders and to roadusers but not to people displaced by new roads. Our obligation is also an obligation to the people who are impacted and hurt by this program.

Mr. DOWNING. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman.

Mr. DOWNING. Mr. Chairman, like the gentleman from Colorado, I have serious concern about the interpretation of section 3 in the bill. My State of Virginia, as you know, has no law which permits payment for relocation of families by reason of the road program. Now, do we have to go back to section (b)? Do we have to supply to the Secretary a feasible method of relocating these people? If so, why do we have to do that? To do that, it would seem to me, we would have to appropriate money to move the people away.

Mr. EDMONDSON. I just read to the gentleman a number of methods which the General Counsel of the Department of Commerce has said would be acceptable methods to assist in the problem of relocating people, feasible methods, acceptable methods.

Mr. DOWNING. Not requiring an outlay of money?

Mr. EDMONDSON. They do not require relocation payments to the individuals. They do require something more than just having an office where somebody can come in and ask for advice. They do require, for example, such things as the assembling of information and the conduct of surveys that would be helpful to the individuals who face this relocation problem.

Mr. DOWNING. I thank the gentleman.

Mr. SCHERER. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I think it is generally understood that with the exception of the Baldwin amendment, and the taking away of States rights by paragraph (b), section 3, regarding relocation assistance, we are in agreement on the bill. I do want to clarify, however, some remarks that have been made, and refer particularly to the questions of the gentlemen from Virginia and Colorado. I have great respect for my dis-

tinguished colleague from Colorado, serving with him on the Committee on the Judiciary, and for his legal opinion.

I would say to the gentleman that the answer to his question appears in the language of the bill itself. If the gentleman will look on page 3, section 3, paragraph (b), he will find the answer and there cannot be any question of doubt about it. And this is why we are opposed to it. If this bill passes in its present form the Federal Government is going to say to the States, "We are going to set the standards for relocation programs, and if you do not like our standards you do not even get Federal construction money." That is what it says. Just read it.

The Secretary prior to his approval of any project under section 106 of this title for right-of-way acquisition or actual construction shall require the State—

It is not "may." It is mandatory—shall require the State highway department to give satisfactory assurance that there exists one or more feasible methods—

What is a "feasible method"? Who knows what a feasible method is? Who can read the mind of the Secretary of Commerce or the Administrator of the Bureau of Roads as to what a feasible method is?—

for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway.

Could it be any clearer? If the States do not promote a "feasible method" for relocation to be approved by the Secretary, the Secretary can use the most bare and blatant power he has, which is to cut off the money. That is what it says, and there is not any question about it.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. ROGERS of Colorado. Section 3 is to be read together. As a lawyer, I think that is the proper way to start approaching the interpretation. Section 3 must be read together.

Mr. CRAMER. Certainly. It is related subject matter. I know what the gentleman is going to say, "Look at subsection (c)." I have looked at it. Subsection (c) has no relationship to what the penalty shall be if the States do not have a "feasible method." All it deals with is whether the States can get funds for the relocation, not for construction.

Mr. ROGERS of Colorado. Does the gentleman feel that under this section, that is, all of it, especially subsection (b) that the gentleman talks about, if a State fails to provide a law for payment for the relocation of people, the Secretary can sit down here and say, "Look, we will not approve any plan until the State Legislature approves some law which would permit moneys to be paid for relocation purposes." Is that the gentleman's interpretation?

Mr. CRAMER. The gentleman is absolutely correct. If the State of Colorado says, "We have not in the past and we do not want in the future to pay highway program relocation costs," or, in the alternative, if they provide for a plan and the Secretary thinks it is not

a feasible program, there will be no Federal money for any highway purpose under this. This is why we object to it. That is why it is so unfair.

Mr. ROGERS of Colorado. The committee report states that each State can determine whether or not to make relocation payments. Is that a true statement or an exaggeration of the idea as it appears on page 9 of the report?

Mr. CRAMER. The report cannot overcome the language itself. The only right the State has when it comes to subsection (c), and discretion, the only right it has is if it says, "We will pay for relocation," then the Federal Government will participate. If it says, "We will have no relocation program of any kind," subsection (b) governs it and no Federal funds for relocation or right-of-way acquisition will be available. There is no question about it. If we thought there was a question, if we thought this applied to the entire section, we would not have any objection to it, but it does not. If this were to apply to the whole section, it would appear at the end of the section, not in subsection (c).

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I would be glad to the gentleman, even though he did not yield to me when he mentioned my name, but before I yield I will say this: The gentleman has suggested this amendment is perhaps not acceptable in many instances, but I would suggest to the gentleman that the American Association of State Highway Officials has sent this tabulation to Members of Congress showing that there are 17 States that would prefer the entire deletion of this subsection. The gentleman knows I made such a motion and the motion failed in committee. I thought that would have been the better motion. But now we are willing to compromise and go along with the Baldwin approach, leaving relocation advisory assistance in but not requiring the "feasible method." There were six States favoring the relocation under paragraph (c). There were 12 States favoring the Baldwin amendment. Practically all the States, or the vast majority of them, opposed this section in its present language. I will read to the gentleman this wire from the American Automobile Association.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I will yield to the gentleman when I have finished my statement.

Mr. EDMONDSON. I thank my colleague. I will get my own time.

Mr. CRAMER. The American Automobile Association sent to the gentleman from Oklahoma the following wire:

Respectfully request your support of Baldwin amendment to section 3, H.R. 12135, Federal Aid Highway Act of 1962. As written, section 3 poses danger of putting Federal and State highway departments in housing business. Baldwin amendment offers a sensible, workable, and permanent mandate to replace ambiguous and uncertain language in section 3 which could result in unnecessary delay in Federal aid

highway projects, particularly in metropolitan areas.

RUSSELL HUNT,
Chairman, Legislative Committee, Automobile Club of Oklahoma.

I have personally received the following wire in support of this amendment from the chairman of the State Road Department of Florida:

TALLAHASSEE, FLA., July 17, 1962.

Hon. WILLIAM C. CRAMER,
House Office Building,
Washington, D.C.:

Florida State Road Department strongly favors amendment to section 3 of H.R. 12135 to be offered by Congressman BALDWIN, of California, opposing requirements of section 3 as written in the bill. Urge your support and vote for amendment.

JOHN R. PHILLIPS,
Chairman, State Road Department of Florida.

Now I am glad to yield to the gentleman.

Mr. EDMONDSON. I thank the gentleman. I will get my own time.

Mr. CRAMER. So what is the issue? You will notice that there is no provision of a date as to when this particular section will become effective subsequent to the enactment of the law. This becomes effective immediately. It does not even give the States an opportunity to put it into effect or give them reasonable time to put it into effect. How are those States that do not have a "feasible method" for the relocation of tenants going to conform? And the penalty if they do not conform immediately is, as the bill itself states, "The Secretary prior to his approval of any project for a right-of-way acquisition or actual construction"—that is the condition precedent. Now this is not an argument as to whether you should or should not have relocation payments. We must reserve the power of the State to make the decision as to the type of relocation and as to whether the tenant should be paid and the extent to which they should be paid, and that is a State and not a Federal decision.

Mr. FALLON. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I have taken this time because I want to make clear to the House that the intention of the majority of the committee to see that there is no requirement of relocation payments by any State regardless of this "feasibility methods" language is a firm intention of this committee. At the appropriate time when the bill is read for amendment, I intend to offer an amendment which will add this same language to (b) that appears in (c) and spell it out clearly and concisely both in subsection (b) and subsection (c), that relocation payments cannot be required by a State under this feasible method authority of the Secretary of Commerce. My own judgment and the judgment of most of the people on the majority side is that this is not essential and should not be required in order to make it very clear that it is not within the authority of the Secretary of Commerce. It is our feeling its appear-

ance in this particular section together with the history of the report in connection with this bill should make it very clear that this could not be required. However, I think the gentleman from Florida has so clouded the legislative history on this point, and has introduced without any solid legal justification the contention that this language would not prevent such requirement, that we probably would be on the safe side to add it to subsection (b). As I have stated, that amendment will be offered at the proper time in order to eliminate any controversy about it insofar as the committee's action is concerned.

Mr. ROGERS of Colorado. Mr. Chairman, with the gentleman yield?

Mr. EDMONDSON. I am glad to yield to my colleague.

Mr. ROGERS of Colorado. I understand that the amendment you propose to offer will be one of clarification in order to make it definite and certain that under no circumstances shall the Secretary of Commerce be permitted to require any State to have a plan for relocation unless the State itself has a law which permits the payment; is that correct?

Mr. EDMONDSON. As to payments; that is exactly correct.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield for a question?

Mr. EDMONDSON. I am glad to yield to my colleague.

Mr. JONES of Missouri. I have listened to the gentleman on two different occasions when he has spoken here and he has not convinced me why you want to give to a Federal agency authority that can be handled by a State agency and which in the past has been adequately handled. That is what I want to know.

Mr. EDMONDSON. I will have to say on that point that the same reasoning prevails with respect to that as prevails with regard to the language on research and planning.

While most of the States have gone ahead with research and planning, while we have had research and planning in most of the States, there have been some States that have lagged in that direction and we feel some incentive should be given in this direction, that where there is no research and planning the Federal taxpayers are not getting what they should on their road investment.

Mr. JONES of Missouri. I do not think there is any relationship between research and planning and the obtaining of rights-of-way and the relocation of displaced tenants. There is no relationship between those two.

Mr. EDMONDSON. If there is a Federal policy that it is a good and wise thing to have research and planning then we think something should be done to encourage it. We think there should be something in this bill also on the matter of relocation as a matter of Federal policy. I think there was general agreement that there should be some encour-

agement given in the direction of relocation, relocation planning, relocation assistance. That is what this amendment seeks to do, and we have faith that our Secretary of Commerce will use good commonsense in the devices he employs and in his approach to this problem to see that we do have an effective program.

Mr. JONES of Missouri. Mr. Chairman, if the gentleman will yield further, we cannot write law based upon our faith in the present Secretary of Commerce or present Highway Administrator, who is a very good friend of mine. I do not want to make him the authority that might determine this, for while I have faith in him we do not know who the next Administrator might be. He might be a person I would not have confidence in. The law is going to be on the books for a long time, long after both the Secretary of Commerce and the Administrator have gone.

Mr. EDMONDSON. Congress still would have the power to change it. We can change it any time that we feel that the Secretary of Commerce is not properly administering the law.

Mr. JONES of Missouri. I cannot agree that we should give power to a Federal department or bureau that can best be handled by the States.

Mr. EDMONDSON. In this instance the gentleman's own State, I think, has a good program.

Mr. JONES of Missouri. I think we do too. However, the chief engineer, and the highway commission have gone on record as saying they are for the elimination of subparagraph (b) in this bill; and I think they are wise in their stand.

Mr. EDMONDSON. I am certain there are a great many highway construction people who would like to delete all of Section 3 including relocation payments. Then the road builders would go along with it. But in my own judgment we have to recognize the interest of the farmers and the business people and the families that are along these highways and try to do something for them too.

Mr. McFALL. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. McFALL. Is not this correct, that all we are requiring the States to do is to show that these families who are being displaced by these highways have some place to go and live? Isn't that all we are asking?

Mr. EDMONDSON. I think even less than that. I think we are only requiring that the States come in and show that they are working out methods to try to be of assistance to these people.

Mr. McFALL. Is not that a very small thing to require in these projects where the Federal Government is paying 90 percent of the cost?

Mr. EDMONDSON. In my judgment it is.

Mr. FALLON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the bill before us now is the bill brought out on the floor through the cooperation of all members of the committee with the same objective in mind, and that was the objective

of better roads for this country. You have heard some differences of opinion expressed here this afternoon on one particular section of the bill. The bill itself is a good bill, a necessary bill, and should not be hindered by the arguments on amendments we heard this afternoon.

Mr. Chairman, I have no further requests for time.

Mr. AVERY. Mr. Chairman, I rise in support of the Baldwin amendment. My position is usually one of concern for persons to be displaced against their will for a Federal or State project. I have had some extensive experience in my district and therefore personally concerned that persons who are in this circumstance have every protection for fair treatment.

There is no question in my mind that the appropriate State agency or commission will afford this equitable treatment for the respective displacements. Certainly I do not believe the final determination should be made in Washington. Reference has been made to the Secretary of Commerce. The Secretary is not going to be making these determinations personally. They are going to be made by some Department of Commerce employee far removed from the site of the problem.

A vote for this amendment is not a vote of lack of confidence in the Secretary. However a vote against the amendment is a vote of no confidence in a State administration or a State commission.

The Kansas highway is strongly supporting this amendment Mr. Chairman and I want to read a telegram from Mr. Addison H. Meschke, director of the highway commission in Kansas:

TOPEKA, KANS.

July 17, 1962.

Representative WILLIAM H. AVERY,
Old House Office Building,
Washington, D.C.:

H.R. 12135 Federal-Aid Highway Act of 1962 to be debated Wednesday, re section 3, Kansas favors proposed Baldwin of California amendment.

ADDISON H. MESCHKE,
Director of Highways.

Mr. Chairman, I hope the amendment will be adopted.

Mr. GOODELL. Mr. Chairman, it is appalling to the people of New York State that the Federal Government insists on punishing us for building our own roads rather than waiting for Uncle Sam to do it for us.

Originally, under the proposal in 1947, New York State was allocated 1,227 miles of Federal-interstate highway, for which the Federal Government would contribute 90 percent and the State 10 percent. The Federal Highway Act was not enacted until 1956. By that time New York had already built 569 miles of highway along the Federal route, most of it on the thruway. Now the obvious thing to have done was to reimburse New York or transfer mileage to other roads in New York State in return for Federal highways already built by New York.

You all know what happened. Uncle Sam said, in effect: "No, we are going to cut your Federal-interstate mileage from 1,227 miles to 658 miles because

your taxpayers met their responsibilities." Now I ask you, Is that fair? Is that defensible? It is not.

New York was originally given 3 percent of the Federal mileage while paying 18 percent of the Federal taxes. The Congress added insult to injury by cutting New York's share from 3 to 1.6 percent of the mileage. The mileage taken from New York could and should have been used for Route 17, a tremendously important highway along the southern frontier of New York State.

We, in New York State, shout our protests at such highhanded treatment. You can be darn sure that I will never vote for any highway bill that perpetuates this gross injustice upon my people.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1962".

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, \$950,000,000 for the fiscal year ending June 30, 1964, and \$975,000,000 for the fiscal year ending June 30, 1965. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1964, and \$33,000,000 for the fiscal year ending June 30, 1965.

(3) For forest development roads and trails, an additional \$10,000,000 for the fiscal year ending June 30, 1963, \$70,000,000 for the fiscal year ending June 30, 1964, and \$85,000,000 for the fiscal year ending June 30, 1965.

(4) For public lands development roads and trails, \$2,000,000 for the fiscal year ending June 30, 1964, and \$4,000,000 for the fiscal year ending June 30, 1965.

(5) For park roads and trails, \$22,000,000 for the fiscal year ending June 30, 1964, and \$25,000,000 for the fiscal year ending June 30, 1965.

(6) For parkways, \$16,000,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(7) For Indian reservation roads and bridges, \$16,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

(8) For public lands highways, \$3,000,000 for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

SEC. 3. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

“§ 133. Relocation assistance

“(a) As used in this section the term ‘eligible person’ means any individual, family, business concern (including the operation of a farm) and nonprofit organization to be displaced by construction of a project.

“(b) The Secretary prior to his approval of any project under section 106 of this title for right-of-way acquisition or actual construction shall require the State highway department to give satisfactory assurance that there exists one or more feasible methods (including relocation advisory assistance) for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway.

“(c) The Secretary shall approve, as a part of the cost of construction of a project on any of the Federal-aid highways systems, such relocation payments as may be made by a State highway department, or a local public agency acting as an agent for the State highway department for this purpose, to eligible persons for their reasonable and necessary moving expenses caused by their displacement from real property acquired for such project. However, the Secretary shall not require a State to pay relocation payments where not authorized by State law.

“(d) Payments under this section shall be subject to such rules and regulations as may be prescribed by the Secretary, and shall not exceed \$200 in the case of an individual or family, or \$3,000 in the case of a business concern (including the operation of a farm) or nonprofit organization. In the case of a business (including the operation of a farm) and in the case of a nonprofit organization, the allowable expenses for transportation under this subsection shall not exceed the cost of moving 50 miles from the point from which such business or organization is being displaced. Such rules and regulations may include provisions authorizing reimbursement for payments made to individuals and families of fixed amounts (not to exceed \$200 in any case) in lieu of their respective reasonable and necessary moving expenses.

“(e) This section shall apply only with respect to projects approved under section 106 of this title after the date of enactment of this section.”

(b) The analysis of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

“133. Relocation assistance.”

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

SEC. 4. (a) Section 101 of title 23, United States Code, is amended by inserting immediately after the paragraph which begins “The term ‘project agreement’ means”, the following:

“The term ‘public lands development roads and trails’ means those roads or trails which the Secretary of the Interior determines are of primary importance for the development, protection, administration, and utilization of public lands and resources under his control.”

(b) Chapter 2 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

“§ 214. Public lands development roads and trails

“(a) Funds available for public lands development roads and trails shall be used to pay the cost of construction and improvement of such roads and trails.

“(b) Funds available for public lands development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.

“(c) The Secretary shall approve the location, type, and design of all projects for public lands development roads and trails before any expenditures are made thereon and all construction thereof shall be under the general supervision of the Secretary.”

(c) The analysis of chapter 2 of title 23 is amended by adding at the end thereof the following:

“214. Public lands development roads and trails.”

AVAILABILITY OF FUNDS—OTHER HIGHWAYS

SEC. 5. Section 203 of title 23 of the United States Code is amended by inserting immediately before the phrase “park roads and trails”, at each of the two places it appears in such section, the following: “public lands development roads and trails,”.

FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN AREAS

SEC. 6. (a) The last sentence of subsection (c) of section 103 of title 23, United States Code, is amended to read as follows: “This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area.”

(b) The amendment made by subsection (a) of this section shall apply to apportionments made before as well as after the date of enactment of this Act.

TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

SEC. 7. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately following section 133 the following new section:

“§ 134. Transportation planning in certain urban areas

“It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section.”

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

“134. Transportation planning in certain urban areas.”

RURAL DELIVERY AND STAR ROUTE MILEAGE

SEC. 8. (a) Subsection (b)(1) of section 104 of title 23 of the United States Code is amended by striking out “preceding fiscal year” and inserting in lieu thereof “preceding calendar year”.

(b) The amendment made by subsection (a) of this section shall be applicable only with respect to apportionments made after the date of enactment of this Act.

HIGHWAY PLANNING AND RESEARCH FUNDS

SEC. 9. Subsection (c) of section 307 of title 23 of the United States Code is amended by inserting “(1)” immediately after “(c)”, by striking out “any year” and inserting in lieu thereof “each fiscal year prior to the fiscal year 1964”, and by adding at the end thereof the following:

“(2) One and one-half percentum of the sums apportioned for each fiscal year be-

ginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.

“(3) In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraphs (1), (2), and (3) of section 104(b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection.

“(4) Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.”

DEFINITIONS

SEC. 10. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code:

- (1) Forest development roads and trails;
- (2) Forest highway;
- (3) Indian reservation roads and bridges;
- (4) Park roads and trails;
- (5) Parkway;
- (6) Public lands highways;
- (7) Federal-aid primary system;
- (8) Federal-aid secondary system;
- (9) Urban area;
- (10) Public lands development roads and trails.

With the following committee amendments:

Page 2, line 17, strike “and” and insert “an”.

Page 10, line 1, strike “matching” and insert “matching”.

Page 10, strike lines 3 to 10 inclusive. The committee amendments were agreed to.

Mr. BALDWIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BALDWIN: On page 3, line 24, strike out the words “there exists one or” and on page 4, lines 1 and 2 strike the words “more feasible methods (including relocation advisory assistance)” and replace the above stricken words with the following: “relocation advisory assistance shall be provided.”

Mr. BALDWIN. Mr. Chairman, the purpose of this amendment is to leave basically with the States powers that they have consistently had up to the present time under the Federal aid highway program. Up to this time the States have been the ones to determine what is the feasible method of relocation of people who are removed from a State's rights-of-way.

Section 3 of the bill in its present form has the words:

The Secretary prior to his approval of any project under section 106 of this title for right-of-way acquisition or actual construction shall require the State highway department to give satisfactory assurance that there exists one or more feasible methods (including relocation advisory assistance) for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal aid highway.

This gives the Secretary complete blanket authority to determine what he

feels is a feasible method, and if the State does not comply with what he feels is a feasible method, he can refuse to approve funds for right-of-way acquisition or actual construction. There was previous discussion on the floor about section (c), which has a last sentence saying:

However, the Secretary shall not require a State to pay relocation payments where not authorized by State law.

That last proviso simply says the Federal Government cannot require the States to pay relocation payments, but this does not prevent the Secretary from utilizing his powers under section (b) to require different procedures which he feels are proper for relocation, even though the State may have followed a different procedure entirely satisfactory in the past.

The purpose of my amendment is simply to avoid this further concentration of power in the Secretary of Commerce. It is power he has not got at the present time.

The American Association of State Highway Officials testified against this section in the bill. I have a letter, dated July 17, from A. E. Johnson, executive secretary, as follows:

Generally, the State highway departments feel that the proposed amendment, as shown on page 62 of the committee report on H.R. 12135, would be preferable to paragraph B of section 3, as contained in the bill.

The American Automobile Association has taken a position in favor of my amendment. I read a wire stating their position. The American Roadbuilders Association has taken a position in favor of the amendment and countless individual branches of the American Automobile Association in State after State have taken a position in favor of my amendment and have so wired their Members of Congress.

I want to quote one from the Automobile Club of New York, representing 612,000 members, as follows:

On behalf of our 612,000 members, we urge your support of an amendment to section 3 of H.R. 12135, which is Federal Highway Act of 1962, expected on House floor this Wednesday. This legislation offered by Congressman BALDWIN, of California, will free existing highway act of ambiguous requirements relating to relocation of persons and businesses affected by federally aided highway projects. Present requirements allowing one or more feasible methods, including relocation advisory assistance are subject to exploitation by those desiring delay of vital highway programs and the involvement of unnecessary agencies and levels of government in local affairs. Baldwin amendment relying on relocation advisory assistance is entirely adequate and realistic and will actually minimize dislocation since it does not, unlike other provisions, invite conflict. Highway program in this State will be advanced by your vigorous support of Congressman BALDWIN's amendment.

GILBERT B. PHILLIPS,
Automobile Club of New York.

I am just reading one of a whole series of wires sent out by American Automobile Association clubs in various States indicating support of this proposal.

Basically this seeks to eliminate concentration of power in the Secretary of

Commerce, power that up to now has been handled by the States successfully.

(Mr. EDMONDSON asked and was given permission to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to this amendment for the reasons stated previously during general debate on this bill. I think this amendment represents a vote of complete no confidence in our Secretary of Commerce, in our road administrator, and I think it should be defeated on that basis if on no other basis.

The gentleman has made a great deal of to-do about the fact that some organizations are opposed to this amendment, but the same organizations that he mentioned are also opposed to relocation payments or to anything that diverts a dollar from highway building contracts. I do not argue with them on that. I think they are taking care of their interests and concentrating their attention upon the dollars of road-building contracts. But, I think we have some other things we have to think about, and that is the requirement that there be feasible methods, one or more feasible methods, for assistance of displaced people, and relocation is one of them.

Mr. Chairman, as soon as we defeat the Baldwin amendment—if we do defeat it, and I hope we will—I will offer an amendment to add this language on line 4 of page 4, and I would appreciate your attention and the attention on the other side as I read it to you:

After the period on line 4, add the following language: "One or more feasible methods shall not include the right to require a State to make relocation payments where not authorized by State law."

This will clearly spell out in the subsection to which the attention is being given that the Secretary of Commerce cannot require relocation payments to be made as one of the feasible methods to assist people being relocated.

Mr. Chairman, I hope and trust that the Baldwin amendment will be defeated, and I will offer this amendment at the proper time.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from California.

Mr. HOSMER. I do not quite understand the difference in degree of lack of confidence in the Secretary of Commerce that would be expressed by the limitation in your amendment and the limitation in the Baldwin amendment.

Mr. EDMONDSON. I can assure the gentleman that it is not lack of confidence on my side that calls for this particular amendment. I think the gentleman from Florida and the gentleman from California have succeeded in clouding considerably the legislative history in regard to committee intent. I think by clouding it they made it necessary to make it clear and specific.

I might say this also, as long as we have talked about how State highway departments stand on this thing, the State Highway Department of the State of California responded to the question-

naire by saying that this bill was entirely satisfactory as it was brought to the floor.

Mr. SCHERER. Mr. Chairman, I rise in support of the amendment.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. SCHERER. Yes; I yield to the gentleman from California.

Mr. BALDWIN. In answer to the last statement made by the gentleman from Oklahoma [Mr. EDMONDSON], I would like to say that the chief highway engineer of the State of California is on record at page 99 of the hearings in opposition to section 3.

Mr. SCHERER. I rise in support of the amendment.

Mr. Chairman, all of us today are interested in reducing unemployment. In fact, there is a bill now pending before the Public Works Committee, at the request of the President, which is called a public works acceleration bill, and which would require, if passed, the expenditure of \$900 million over a short period of time in order to accelerate public works in order to aid the economy.

Mr. Chairman, we have in the highway program before us the biggest public works program in the history of the world. It is a going concern. It is moving now. If the language in paragraph (b) of section 3 remains in the bill by failing to adopt the Baldwin amendment, I predict in sections of this country that this highway program will come to a grinding halt. You are going to decelerate public works programs. You are going to increase unemployment.

Mr. Chairman, why do I say this? For the simple reason that under the language of the bill as now written the Secretary of the Department of Commerce can refuse to approve a highway project in your State, and in my State if he feels that your community and your State does not have a feasible method for relocating tenants that must be removed from highway rights-of-way. There is no definition in this bill as to what constitutes "feasible methods." But in the administration's bill there was a definition of what constitutes "feasible methods." This is the guideline—this is what the Secretary of the Department of Commerce in whom we are supposed to have so much confidence is going to require each State to do, each highway department to do. They are going to put him and the State highway department in the housing business. Listen to this language.

The Secretary as a condition precedent to his approval of any highway project shall require the State highway department through an agency or agencies acceptable to the Secretary to assure that there is a feasible method for the temporary location of families displaced by the acquisition or clearance of rights-of-way for any Federal highway program.

Now, listen to this—this is what they are going to require each State to do:

That there are or will be provided in areas not generally less desirable in regard to the availability of public utilities and public commercial facilities at rents or prices within the financial means of families displaced

by the acquisition or clearance of such rights-of-way decent, safe, and sanitary dwellings—

Mr. Chairman, every State, before it can get a highway approved, must provide that kind of relocation service. You are putting the State highway departments into the housing business. We all know that there are people who do not want to move, no matter what the circumstances are. There are certain people that want a highway located in this location instead of the one selected by the engineers. There are others that want for selfish interests points of access established at some other place or an interchange located at some other place.

Mr. Chairman, these people are going to take advantage of this type of regulations. They are going to latch onto these requirements and they are going to delay this program. They are going to take this thing to court. Whether there is merit to their suits or not, they are going to contend that there is no decent, safe housing in reasonable distance of a man's employment; that there are not public facilities available. These court actions are going to delay this highway program. Such delay will not only hurt the highway program—it will adversely affect the economy and the employment problem.

Mr. Chairman, all the Baldwin amendment does is say, "Let us not make the States subject to the direction, the dictatorship of the Secretary of Commerce. Let the States move their people as they see fit."

The provisions in the bill that the States furnish advisory service to people who must vacate and pay their moving expenses is as much as a government should do.

Mr. BLATNIK. Mr. Chairman, I rise in opposition to the amendment.

(Mr. BLATNIK asked and was given permission to revise and extend his remarks.)

Mr. BLATNIK. Mr. Chairman, I would like to present some observations on this very interesting situation. No. 1, the question is raised by the opposition on the meaning of the word "feasible." That is very easily determined. That means a workable, practical, realistic plan under the circumstances. I would like to have the opposition explain to us what does "advisory assistance" mean by the States?

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield.

Mr. SCHERER. That was in the administration bill. Advisory assistance means exactly what it says, to help people who have to relocate, to advise them as to places where they can be relocated. But it does not give the Secretary of Commerce the right to dictate to every community, before it may receive a highway project just how these people shall be relocated; what kind of housing they should have, and so forth.

You can solve this problem by one regulation in the law and that is to require a 6-month leadtime; not require people to move for 6 months after the highway right-of-way has been acquired.

Mr. BLATNIK. To advise people as to where they should or can resettle can easily mean get a tent and squat on a community periphery. Leadtime is an important matter; but, even with leadtime, in negotiating and acquiring the necessary properties, you still do not have the opportunity to have a practical, workable program for accommodating these people and working out their serious problems of resettlement and relocation.

Mr. Chairman, I do not want to be a party to the proposition of using a multi-billion-dollar program that has been working so beautifully, as has this joint, coordinated, cooperative affair between the Federal Government and the States, and using it in such a way that the Federal Government is derelict in its responsibility to the people in how the people shall be dealt with who own property, and through no fault of their own, and for the national interest of providing facilities for a freer flow of commerce and traffic, and forcibly required to relocate.

The truth is, with all respect—and I mean this—for the splendid job the States have been doing, and are doing, that in our investigations on highway right-of-way acquisition and disposition of property and rights-of-way, we have been shocked at the inefficiency and sheer incompetence with which this right-of-way acquisition matter has been handled by some States.

We have examples of where bulldozers bulldozed right out to the very property of citizens and the inhabitants of homes who had no idea what was happening. They had never up to that time been contacted by any State highway right-of-way representative. They first learned it from a private contractor, that the highway was going to go across their property.

Let me read to you some of the testimony that is typical in three States that we were in Florida, Massachusetts, and now West Virginia. This is the testimony of Mr. Stanton from the right-of-way office in Florida. He was asked how much time he required for the proper acquisition of right-of-way and disposition of the properties so acquired. He said 6 to 8 months. He was asked, "Do you always get this time?" and he said, "Generally we do not; often we have to do it under a 'quick taking,' which means 20 to 30 days' grace after they are paid and have to move out."

People get a court order, are evicted with a partial payment and made to shift for themselves. These are dislocated people, dispossessed people, people who should be given an opportunity first to negotiate satisfactorily for a fair price for their property and then an opportunity to get resettled. Here is what Mr. Stanton said. He said if they could get 6 to 8 months of time on acquisition of property and settlement and relocation, they could negotiate a settlement in excess of 80 percent of the right-of-way acquisition parcels.

But what did happen? The pressure was on to get construction work underway as soon as possible. On 16 Federal-

interstate projects in Florida here is what happened: 798 parcels were not even acquired by the State by the time the contracts were already awarded to the contractor and he was to start construction within 60 days; 798 parcels of property had not even been acquired by the States; 545 of these, or 70 percent, became subject to condemnation; 70 percent of these people were in condemnation compelled to go to court just for an opportunity to get a fair price for their homes, with no time to negotiate in advance, yet dispossessed, trying to get relocated, yet tied up in court for 1 and even over 2 years to get compensation for their original property.

To show you how little the State highway department knew about what was going on, let alone what was happening to the people themselves, the State highway department did not even know how many buildings they had acquired and now owned on the project. They awarded the construction contract and turned the buildings on the right-of-way over to the contractor. The contractor sold these properties to a subcontractor. The subcontractor sold or otherwise disposed of the buildings. The subcontractors made money on the disposal of the buildings, and the construction contractor got paid by the State, in which Federal funds were involved, for the opportunity of selling these Federal-State-acquired properties for his own profit.

For example, on one project State records showed there were 312 buildings, whereas the contractor's record showed he had 362 buildings—a difference of 50 buildings. On another project the State reported they had 234 buildings and on that project the contractor said he had 263. On another project there were 150 buildings listed by the State on the project and the contractor reported he found 214. Most of these people had no chance to negotiate for their property. We found a pathetic case where a home owner had found a lot elsewhere, and merely wanted to buy his home back from the State; but it was too late, the contractor already had sold it to someone else.

The requirement of this provision that a feasible and workable method be submitted to and approved by the Secretary of Commerce is no different from many other requirements in the several stages of getting a highway built. The Secretary of Commerce, through the Federal Highway Administrator, has to approve route location, design, specifications, and other factors. This one step is no imposition. It merely protects the legitimate and proper rights of thousands of human beings who are going to be dispossessed and displaced by this gigantic highway program, especially where it sweeps across in broad swaths through heavily populated areas, up-rooting and dispossessing then in the interest of not only a freer flow of traffic and commerce, but insuring the personal safety, as well of convenience, of millions of automobile travelers.

Mr. CRAMER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to make sure it is clearly understood—and this is the

principal reason for my rising—that the position taken by the gentleman from California [Mr. BALDWIN], myself, and others who have spoken on our side, is that the States rather than the Federal Government should make the decision with regard to the fundamental policies with regard to relocation. What is the amendment the gentleman from Oklahoma suggests, now that the pressure is on, he might accept or propose? It is a smokescreen amendment that the gentleman from Oklahoma has suggested, because it does not do one single thing. All it does is lift the language of subsection (c) that relates only to the payment of relocation payments by the State and apply that to subsection (b). It does not have any effect whatsoever on the Secretary's determining what a feasible method is, absolutely none whatsoever. The amendment of the gentleman from Oklahoma says one or more feasible methods, if it is provided that the State shall make relocation payments.

Mr. EDMONDSON. No, it does not say what the gentleman said it says.

Mr. CRAMER. It said it is keyed to the relocation payments.

Mr. EDMONDSON. It says one or more feasible methods do not include relocation payments.

Mr. CRAMER. Right, exactly. Therefore, only relocation payments are excluded from determining what is feasible method is. But what does it mean? Everything the gentleman from Ohio talked about with regard to the requirements, that the housing will be provided in areas not generally less desirable, that it will be at least as equally available to public utilities, commercial facilities, schools, and so forth, at rents or prices within the financial means of the families displaced by acquisition or clearance of such rights-of-way—decent, sanitary dwellings adequate in number to accommodate such displaced families and reasonably accessible to places of employment.

All of this will continue to be decided by the Secretary. This has nothing to do with the relocation cost that the gentleman is excluding.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. ROGERS of Colorado. First, may I inquire: Is the language you read in the bill?

Mr. CRAMER. That is what I believe the Secretary will set as standards because it has been set in other similar situations. There is no question but what the Secretary would have the power to so decide, and that is what disturbs us. He would have the power to do so. We do not think we should give him that much power. The States should make this decision. That is what the issue is: Should the State make the decision or should the Secretary of Commerce make the decision? The gentleman from Oklahoma said that this may mean a vote of no confidence in the Secretary. That is not the point at all. Nobody is suggesting no confidence.

The point is that by not adopting the Baldwin amendment, it is a vote of no

confidence in our State officials who have traditionally, according to the provisions of the basic act itself, been the agency to administer this program. The only reason the highway program in this country has had the success it has had is because it has been a partnership program with the States determining the administration and the policy and not the Federal Government. And those of us on the committee who have fought this issue time after time think that here is another instance to keep the Federal Government from telling the States what they should do with regard to the administration of the program, and I cannot think of how we could go further into the area of Federal dictation than to have the Federal Government tell us, the States, what the States should do with regard to relocation even if you exclude payments.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. ROGERS of Colorado. The answer to my question is "No"; is that not right?

Mr. CRAMER. The answer to your question is found in the minority views.

Mr. ROGERS of Colorado. What you read is not in the bill, is it?

Mr. CRAMER. The answer to your question is found in the minority views as to what the Secretary can determine with regard to the requirements and I will point it out to the gentleman.

Mr. ROGERS of Colorado. Cannot the gentleman answer the question directly and say yes or no, whether it is in the bill?

Mr. CRAMER. Page 59 of the minority report shows what can be required.

Mr. PELLY. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. PELLY moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. PELLY. Mr. Chairman, I rise in support of the Baldwin amendment to H.R. 12135, the Federal-aid Highway Act of 1962. In this connection I desire to read into the Record a telegram dated July 17, 1962, from W. A. Bugge director of highways of the State of Washington. It reads:

In support of the Baldwin amendment to H.R. 12135, suggest the following as amendment to the bill: On page 3, line 24, strike the words "There exists one or" and on page 4, lines 1 and 2, strike the words "more feasible methods, including relocation advisory assistance," and replace the above stricken words with the following: "relocation advisory assistance shall be provided."

Mr. Bugge's suggested language is the Baldwin amendment.

Mr. Chairman, as has been pointed up by the gentleman from California [Mr. BALDWIN], subsection (b) of section 3 of the bill as reported by the Committee on Public Works would give unprecedented power to the Secretary of Commerce. It would give him sole authority to determine whether each

State's method for relocation of families on highway rights-of-way is satisfactory to him. Many State highway directors such as Mr. Bugge object to undue Federal control and I may add that in my State great public dissatisfaction has been experienced in the relocating of homeowners who have been dispossessed as a result of the highway program. The public, in my opinion, can be better served if decisions as to method are left up to State government and local authority where their voices or protests can be better heard. I oppose more concentration and centralization of Government authority here in Washington, D.C.

Under the bill as reported there is no definition as to what would constitute a "feasible method" for relocation. The Baldwin amendment would modify subsection 3 and require State highway departments to give relocation advisory assistance. This would protect the States and avoid arbitrary Federal action as to the method used.

I hope the Baldwin amendment is adopted.

Mr. MOSS. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I rise in opposition to the amendment of my good friend and colleague, the gentleman from California [Mr. BALDWIN]. I want to make it clear that I regard my role in this body as a representative of the people of the Third District of California and not as a representative of the State of California. I am concerned with the rights of the people I represent. I feel that I have a responsibility, a solemn obligation to take cognizance of the rights of those people.

The language proposed to be stricken from this bill is the minimum recognition of their rights. The fact that in these vast highway programs where people are summarily dispossessed of their homes, their farms, and their businesses there should be given some conscious consideration and feasible method of relocating. I think for us to do less than to grant that recognition of their rights is an abandonment of our responsibility.

I have heard it said that the American Automobile Association supports the gentleman's amendment. Let me say as a member of that association that I have not been polled and I know not one soul who has been polled, to determine whether or not they should speak for me. I conferred it no such right when I joined the organization.

My State is in support of the bill as it came from the committee. My good constituent, the State highway engineer of California, is not in opposition. His appearance before the committee was under another hat as a member of the National Association of Highway Engineers.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. MOSS. Certainly I would be very happy to yield to my colleague.

Mr. BALDWIN. The gentleman heard the statement he made on page 99 of the hearings which I read where he said:

We believe that it would be the means of introducing controversy, delay, and political pressures into the program to the point that

it could effectively stop the highway program in certain areas.

Mr. MOSS. I do not disagree that he made the statement, but he made it as the chairman of the National Association of Highway Engineers. Speaking as the engineer of the State of California he is in support of the bill as it came from the committee. But let me say that if he were in opposition to the bill, having experienced a number of relocations in my own district and seeing in some situations the almost pompous disregard for people and their rights that I would not be persuaded to follow him. That is my responsibility, not his. He is not in office by the vote of one single individual, but I am here by the overwhelming majority vote of a district of some 700,000 people, and I feel I have greater responsibility than he has.

I sincerely hope that this body will take cognizance of the rights of those really in focus here, the rights of the people involved in the relocations and vote against the amendment of Mr. BALDWIN.

The CHAIRMAN. The question is on the preferential motion.

The motion was rejected.

Mr. JONES of Missouri. Mr. Chairman, I rise in support of the amendment.

(Mr. JONES of Missouri asked and was given permission to revise and extend his remarks.)

Mr. JONES of Missouri. Mr. Chairman, first I want to say that I am for the bill, but I feel that this amendment should be adopted. It is not that I do not have confidence in the committee, and I certainly do disagree with the statement of the gentleman from Oklahoma that a vote against the amendment would be an expression of no confidence in the Secretary of Commerce and the Administrator of the road program.

I think that this question of feasibility should be determined by the local representatives and certainly no higher than the State level. While I do not attempt to appear here as an expert, I have had the responsibility of serving for 3 years as chairman of the State Highway Commission of the State of Missouri, and am somewhat familiar with condemnation proceedings and programs of rights-of-way acquisition. I think we should recognize that the States does have a responsibility to the residents of that State, and certainly they have all due recourse.

The thing that worries me is giving any Federal agency authority that can be exercised by the States, and we are making a mistake.

I recall just a few years ago the experience we had with the Department of Labor when they were setting up standards for housing for migratory labor. A representative of the Department of Labor came before our committee with his specifications as to what would constitute adequate housing. Before he left the room we laughed him out of the committee because the fraternity house in which I lived for 3 years while I was attending the University of Missouri would not have met the

standards for migratory labor as laid down by the Department of Labor.

It is not a question of having confidence in the Secretary of Commerce; it is a question of what will happen to the bureaucrats who will get into this program and who will try to make a determination of what is feasible? I want to leave everything we can to the State highway department.

I have here copy of a letter from the chief engineer of the State highway department. I have also a telegram that he sent to the executive secretary of the American Association of State Highway Officials, and I shall ask in the House that these telegrams and the letter appear as a part of my remarks.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Inasmuch as the request for this section originated with the Secretary of Commerce and the first testimony was from his Administrator of Highways, would not the gentleman say it would be a lack of confidence in him if we did not go along with him?

Mr. JONES of Missouri. No; I would not say that. It is possible they have not had their attention called to the fact they are not going to be the perpetual administrators of this program. We must not vote on a matter on what we think about the personality who is going to administer the law. We have to think about the principle involved in the law.

I believe in States rights, and I do not want to give to the Federal Government or any agency of the Federal Government responsibilities that can be administered and which have in the past, in my opinion, been adequately administered. I know that Missouri has had as splendid a record as any State in the Union. I know that in the relocation, in the acquiring of rights-of-way, and things like that, they have accepted that responsibility.

The gentleman from California and others have told us about the great injustice that has been done to people who have been moved and who have not been adequately relocated. Those people have an adequate recourse in their States. If they want to express their displeasure, they can do so through the various State officials.

Again I want to say that this is not a question of lack of confidence, it is a question of whether you want to give to a Federal bureaucracy a responsibility that should be, and could be, and is now being exercised by a State department.

MISSOURI STATE
HIGHWAY COMMISSION,
Jefferson City, Mo., July 16, 1962.

HON. PAUL C. JONES,
U.S. Congressman, House Office Building,
Washington, D.C.

DEAR CONGRESSMAN JONES: It is our understanding that the highway bill, House bill 12135, has received a 2-hour open rule for floor debate Wednesday, July 18.

The enclosed copy of a telegram to the American Association of State Highway Officials expresses the opinion of the Missouri State Highway Commission members and the department personnel.

Your support and assistance for the Missouri Highway Commission's recommendation for deletion of paragraph (b) contained in lines 21 to 24, inclusive, on page 3, and lines 1 to 4, inclusive, on page 4 (all pertaining to relocation assistance) of H.R. 12135 will be sincerely appreciated.

Yours very respectfully,

J. J. CORBETT,
Chief Engineer.

MISSOURI STATE
HIGHWAY COMMISSION,
July 15, 1962.

Mr. A. E. JOHNSON,
Executive Secretary, American Association of
State Highway Officials, Washington,
D.C.:

With exception of paragraph (b) section 133 "Relocation Assistance" we consider H.R. 12135 eminently satisfactory. Objection to paragraph (b) is predicated on the delay its application would cause the highway program coupled with resulting increased project costs. Apparently fulfillment of requirements of paragraph (b) would necessitate a listing of all land and improvements in one or more areas before acquisition of any right-of-way for a project. The time lapse between said listing of available lands and dwellings and actual negotiations with the owners of desired rights-of-way could quite likely result in misleading representation due to changes in availability status attributable to changed ownerships or usances in the interim. Anticipated cost increase would stem from need for additional personnel or agency to serve the proposed function. Apparently vacant lands could not be obtained as right-of-way until availability of relocation sites is established for all tenants and owners within the proposed right-of-way for the entire project. This could generate increased right-of-way cost if presently vacant lands or dwellings are improved during the time required for approval of acquisition of right-of-way. The Missouri Highway Commission and department recommends acquisition of rights-of-way sufficiently in advance of actual highway construction to provide ample time for tenants and owners to find relocation sites. This procedure has been generally satisfactory in Missouri and it does not compete with established housing agencies or realtors. Reiterate that all of H.R. 12135 except paragraph (b) of proposed section 133 is entirely satisfactory.

J. J. CORBETT,
Chief Engineer.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BALDWIN].

Mr. HARVEY of Michigan. Mr. Chairman, the commissioner of State highways in Michigan recognizes the merits of the Baldwin amendment despite the position taken by the Commerce Department and the committee majority. I might point out that Mr. Mackie is an elected official of a Democrat administration in the State of Michigan. I submit herewith his telegram in support of the Baldwin amendment:

LANSING, MICH., July 16, 1962.
The Honorable JAMES HARVEY,
House Office Building,
Washington, D.C.:

I am informed by American Association of State Highway Officials in Washington that Congressman BALDWIN, of California, intends to offer amendment opposing section 3 of H.R. 12135, relating to handling of persons and businesses needing relocation in highway programs.

Respectfully request your support for Baldwin amendment if such is made.

JOHN C. MACKIE,
Commissioner, Michigan State Highway Department.

The question was taken; and on a division (demanded by Mr. BALDWIN) there were—ayes 156, noes 101.

So the amendment was agreed to.

Mr. ROBISON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBISON: On page 10, after line 10, insert

"REIMBURSEMENT FOR CERTAIN HIGHWAYS

"SEC. 10. Section 114 of the Federal-Aid Highway Act of 1956 is amended to read as follows:

"SEC. 114. CONGRESSIONAL POLICY WITH RESPECT TO REIMBURSEMENT WITH RESPECT TO CERTAIN HIGHWAYS.

"(a) It is hereby declared to be the intent and policy of Congress to equitably reimburse each State for the Federal share of the depreciated cost of every portion of any toll or free highway, bridge, or tunnel within such State which is a part of the National System of Interstate and Defense Highways, the construction of which was completed after August 2, 1947, and before June 29, 1956, or which, on June 29, 1956, was either in actual use, or under construction by contract, for completion, awarded not later than June 30, 1957. The Federal share so reimbursed shall be the percentage established in accordance with section 120 (c) and (d) of title 23 of the United States Code, computed in accordance with House Document 301, Eighty-fifth Congress, minus (1) all other Federal expenditures made on account of such highway, bridge, or tunnel and (2) any construction costs not eligible for Federal financial assistance under title 23 of the United States Code.

"(b) Congress hereby declares that it will establish the time, method, amount, conditions, and financing of such reimbursements in such a way as to result in such reimbursements being fully accomplished as soon as possible after substantial completion of construction of the National System of Interstate and Defense Highways as designated on July 1, 1962."

On page 10, line 12, strike out "10" and insert in lieu thereof "11".

(Mr. ROBISON asked and was given permission to revise and extend his remarks.)

Mr. ROBISON. Mr. Chairman, I note that we have a considerably larger audience here, now, than we did during the debate on this bill when the subject matter of this amendment was considered or, at least, discussed at some extent.

This amendment, Mr. Chairman, would merely seek to establish, actually to reestablish insofar as this House is concerned, the principle of reimbursement as a matter of congressional policy and intent to those States which have contributed mileage to the Interstate System, mileage which they constructed without benefit of 90-percent Federal assistance.

This situation briefly arose in this fashion going through it once again: Between August 2, 1947, on which date the Interstate System network was officially designated and the beginning of construction of that system, with 90-10 Federal-aid money pursuant to the Highway Act of 1956, considerable interstate mileage was constructed by the

more progressive States of our Nation, States which did not and could not wait for congressional favors. For instance, in New York State alone our 500-mile-plus thruway was constructed without benefit of any Federal assistance, and that thruway has since been incorporated into the Interstate System, and all we have to show for it in New York State are some beautiful signs designating it as being an interstate highway.

All States are similar losers in some degree, and for any Member who may be interested a table showing such lost mileage is set forth on page 12875 of yesterday's CONGRESSIONAL RECORD.

Mr. Chairman, when the 1956 act was first considered by our Committee on Public Works, that committee took cognizance of the fact that an inequitable situation was being created. Further than that, it recognized the fairness of, in some manner reimbursing those States for such contributed mileage. Thus, when the 1956 bill was reported to the House there was included a section, and the bill was passed by the House including that section, declaring it to be the intent and policy of the Congress, just as my amendment would seek to once again declare, to make such reimbursement in such manner and at such time as Congress might thereafter determine.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from New York.

Mr. BECKER. Mr. Chairman, I would like to join my colleague in support of his amendment. I would further like to observe that ever since the Interstate Highway System came into being we have had bills introduced for years for the purpose of accomplishing this result. Mr. Chairman, I firmly believe in and I am in accord with the gentleman's statement and hope that Congress writes it into law today.

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from New York.

(Mr. OSTERTAG asked and was given permission to revise and extend his remarks.)

Mr. OSTERTAG. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York [Mr. ROBISON]. It seems to me that the time has long since passed when the policy and intent of the Congress in the matter of reimbursement to the States of the Union for their contribution to the Interstate Highway System. This issue has been under consideration for a number of years and the House has deemed it proper and wise to make such provisions in the Highway Act. I believe we owe it to ourselves to include in the bill before us today, some measure of expression which will ultimately bring this inequitable situation to the point of responsible action on the part of the Federal Government. To fail in this matter, we are in substance penalizing the States that accepted responsibility in this essential development. I have my own State of New York in mind which has already built some 600 miles along these routes, including the New York

State thruway. Although these roads are a part of the Interstate System, not 1 cent of reimbursement has been forthcoming. Yet at the same time, New York is paying a substantial share of the cost of the system and program throughout the Nation. It is grossly inequitable and unfair. This amendment in no way is intended to retard or take from any part of the program. It simply establishes the policy and intent to recognize this obligation and provides for any orderly means to meet this problem and situation. I hope that the House will accept this amendment and that it will prevail in conference.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from New York.

Mr. PILLION. I would like to state my concurrence in the amendment which has been offered by the gentleman from New York [Mr. ROBISON]. It is most equitable and it is long overdue.

Mr. ROBISON. I thank the gentleman.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. Yes, I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I would like to say also that I concur with the gentleman in his feeling that this amendment would be desirable, but as something of an authority now on what is likely to be adopted, I am afraid the gentleman has picked a bad time to offer it.

Mr. ROBISON. I thank the gentleman.

Mr. Chairman, let me add further to the story and the history behind this particular matter. When this bill was passed by the House and got to the other body, the section declaring it to be congressional intent and policy to provide for reimbursement was deleted on the basis, as much as anything, so far as I can find out, that at that time there was not sufficient information available as to what mileage would be eligible for reimbursement and so on. All of that data has since been provided. We have all the information we need. But the stumbling block, apparently, for any subsequent action has been the high cost of reimbursement, a cost which would run somewhere in the neighborhood of \$4.3 billion.

Mr. Chairman, I recognize that is a problem, but this body should once again reestablish that principle of reimbursement and then move on from there to take the necessary steps, including, if necessary, an extension of the trust fund program in order to provide for eventual reimbursement.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from New York.

Mr. PILLION. The gentleman's proposal contemplates that the present Interstate System and schedule of construction will continue as is and the gentleman's proposal would become effective only after the present highway construction program is concluded?

Mr. ROBISON. Not exactly, although under this proposal the construction of

the balance of the 41,000-mile network would not be impeded or delayed. Payment of reimbursement under this amendment would begin as soon as possible. We have always understood that toward the end of the trust fund there might be surplus moneys available for this purpose. I think, although this is a modest start in righting a long-existing wrong, it is a responsible approach.

Mr. FALLON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the committee time and time again in discussing the problem of the gentleman from New York [Mr. ROBISON] has concluded that something will and should be done in regard to mileage on the Interstate System that was incorporated into toll roads. Now, of course, the cost of the gentleman's amendment is not known at the present time because of not only the toll roads that have been built in the Interstate System, but toll roads being built now in the Interstate System.

Mr. Chairman, this matter was considered by our committee just about 3 weeks ago and the committee agreed that it should be held in abeyance for another time. But, certainly, the committee agreed that it has merit and should be further discussed.

Mr. Chairman, I oppose the amendment.

Mr. GOODELL. Mr. Chairman, I rise in support of the amendment. I would like to emphasize first of all that this amendment does not provide for immediate reimbursement. It provides reimbursement will come after the regular Federal interstate building of the roads is completed, when it will not interfere in any way with construction presently allocated.

I should also like to emphasize that this is not a New York or a big-State amendment. The State of Kentucky would get \$30 million reimbursement for highways that they constructed on the interstate route. The State of Georgia would get \$37.5 million; the State of Pennsylvania, \$287 million; Texas, \$160 million; Kansas, \$88 million and Indiana, \$147 million. On page 12,875 of the CONGRESSIONAL RECORD yesterday Mr. ROBISON placed a full table showing the amount each State has at stake in this matter. Many, many States between 1947 and 1956 met their responsibilities to go ahead and construct highways even though we did not as yet have a Federal Interstate Highway System. Having constructed those highways, when the 1956 act became law they were not given any credit for it. They received no Federal funds in the 90-10 program for the highways that had already been constructed by the States along the Federal Interstate Highway System.

I appreciate very much the assurances of the gentleman from Maryland [Mr. FALLON] that something should be done and something will be done and has to be done, and the other statements that he has made today. But I hope that we can adopt this amendment now so that we will have as a statement from this body today that we accept the fact that there should be some recognition given to these States that have carried

their own responsibilities prior to the Federal program.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield.

Mr. FALLON. I might say that the gentleman is talking about something that is going to come after 1971 and he wants this body to give an expression of what is going to happen then.

The people who really suffered under the Interstate System program were the people who built the free roads up to standard before the 1956 act. They are the people who borrowed money and paid interest on it and built the roads with State funds, without Federal Government help, and nothing is coming back with which to retire the bonds or pay the interest; whereas the people who built the toll roads have been collecting tolls on these roads and amortizing them, and paying interest and maintenance from those tolls. The people who built the free roads have to wait, too.

Mr. GOODELL. Mr. Chairman, I agree with the gentleman that the people who built the free roads have suffered even more than those who built the toll roads. But the surveys in the State of New York indicate that about 80 percent of the traffic is New York State traffic on the thruway. In any event, I hope that those who built the free roads, as well as those who built the toll roads will eventually be reimbursed. The gentleman says that the amendment would not take effect until 1971. The difficulty is that ever since 1956 we have had attempts to get an expression from the Congress that it intends to do something about this. If we wait until 1971 I am afraid there just will be nothing done. That is the reason we keep on coming back and saying, "All right, study it; tell us how to do it in 1971. Allot us extra Federal-interstate highway mileage if you have to. Use your own method. But let us recognize today this obligation of the Congress and meet this obligation to the States that have gone ahead and met their own responsibilities."

Mr. STRATTON. Mr. Chairman, I rise in support of the amendment offered by my colleague from New York [Mr. ROBISON]. New York State deserves to have refunded the money we spent in good faith on our thruway as a contribution to the Federal Interstate Highway program, before the Federal program was established. As the program now stands, New York State is actually being penalized for our initiative in constructing these 500 miles of interstate highway. Adoption of the amendment would make it possible for New York State to obtain funds to which we are entitled which will enable us to undertake substantial improvements in our own State highway system.

I therefore urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROBISON].

The amendment was rejected.

Mr. CRAMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time for the sole purpose of saying a few words about the gentleman from whom you have heard a number of times on this bill, the gentleman from Ohio, our distinguished and beloved colleague, GORDON SCHERER, who is an acknowledged authority on highway matters throughout the entire United States, if not throughout the world, having attended a number of international conferences on highway matters.

Mr. Chairman, I have a great deal of respect for my distinguished colleague from Ohio, not only because of his work on the Highways Subcommittee, the Highway Investigating Subcommittee, on both of which he is the ranking minority member, and also on the Public Works Committee itself; but, in addition to that, I respect his judgment, his ability, and the tremendous amount of work he has done as the ranking member of the House Committee on Un-American Activities.

I think I would be remiss, knowing the great service he has rendered to his country, if I did not take this opportunity, realizing that possibly this will be the last time he may speak on the floor of this House, to pay tribute to a great American whom I, for one, hate to see leave these hallowed halls, GORDON SCHERER, of Ohio.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. SMITH of Iowa, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, pursuant to House Resolution 723, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. FALLON. Mr. Speaker, I demand a separate vote on the so-called Baldwin amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. BALDWIN: Page 3, line 24, strike out the words "there exists one or" and on page 4, lines 1 and 2 strike the words "more feasible methods (including relocation advisory assistance)" and replace the above stricken words with the following: "relocation advisory assistance shall be provided."

The SPEAKER. The question is on the amendment.

Mr. FALLON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 236, nays 159, answered "present" 1, not voting 39, as follows:

[No. 163]

YEAS—236

Abbitt	Fisher	Mosher
Abernethy	Flynt	Murray
Adair	Ford	Nelsen
Alexander	Forrester	Norblad
Alger	Frelinghuysen	Norrell
Andersen	Fulton	Nygaard
Minn.	Garland	O'Konski
Anderson, Ill.*	Gary	Osmer
Andrews	Gathings	Ostertag
Arends	Gavin	Passman
Ashbrook	Glenn	Patman
Ashmore	Goodell	Pelly
Auchincloss	Goodling	Pilcher
Avery	Grant	Pillion
Ayres	Griffin	Pirnie
Baker	Gross	Poage
Baldwin	Hagan, Ga.	Poff
Baring	Haley	Purcell
Barry	Hall	Quie
Bass, N.H.	Halleck	Rains
Bates	Halpern	Ray
Battin	Hardy	Reece
Becker	Harrison, Wyo.	Reifel
Beckworth	Harsha	Rhodes, Ariz.
Beermann	Harvey, Ind.	Riehlman
Belcher	Harvey, Mich.	Riley
Bell	Hemphill	Rivers, S.C.
Bennett, Fla.	Henderson	Roberts, Tex.
Bennett, Mich.	Herlong	Robison
Berry	Hiestand	Rogers, Fla.
Betts	Hoeven	Rogers, Tex.
Bow	Hoffman, Ill.	Roudebush
Boykin	Horan	Rutherford
Bray	Hosmer	St. George
Breeding	Huddleston	Saylor
Bromwell	Ichord, Mo.	Schadeberg
Broomfield	Jennings	Schenck
Brown	Jensen	Scherer
Broyhill	Johansen	Schneebeli
Bruce	Johnson, Wis.	Schweiker
Burleson	Jonas	Schwengel
Byrnes, Wis.	Jones, Mo.	Seely-Brown
Cahill	Judd	Selden
Cannon	Kastenmeier	Short
Casey	Kearns	Shriver
Cederberg	Keith	Sibal
Chamberlain	Kilburn	Sikes
Chenoweth	Kilgore	Siler
Chiperfield	King, N.Y.	Smith, Calif.
Church	Kitchin	Smith, Va.
Clancy	Knox	Springer
Collier	Kunkel	Stafford
Colmer	Kyl	Stephens
Conte	Landrum	Taylor
Cooley	Lane	Teague, Calif.
Corbett	Langen	Thomson, Wis.
Cramer	Latta	Thornberry
Cunningham	Lindsay	Tollefson
Curtin	Lipscomb	Tuck
Curtis, Mo.	McCulloch	Tupper
Dague	McDonough	Van Pelt
Davis,	McIntire	Van Zandt
James C.	McVey	Vinson
Davis, John W.	MacGregor	Waggonner
Derounian	Mahon	Wallhauser
Derwinski	Marshall	Weaver
Devine	Martin, Mass.	Wells
Dole	Martin, Nebr.	Westland
Dominick	Mathias	Whalley
Dooley	Matthews	Wharton
Dorn	Meador	Whitener
Dowdy	Michel	Widnall
Downing	Miller, N.Y.	Williams
Durno	Milliken	Wilson, Calif.
Dwyer	Mills	Wilson, Ind.
Ellsworth	Minshall	Wright
Evins	Moeller	Younger
Fascell	Moore	
Fenton	Moorehead,	
Findley	Ohio	
Fino	Morse	

NAYS—159

Addabbo	Burke, Ky.	Dent
Albert	Burke, Mass.	Denton
Anfuso	Byrne, Pa.	Dingell
Ashley	Carey	Donohue
Aspinall	Celler	Doyle
Bailey	Chelf	Dulski
Barrett	Clark	Edmondson
Bass, Tenn.	Coad	Elliott
Blatnik	Cohelan	Fallon
Boland	Cook	Farbstein
Bolling	Corman	Feighan
Bonner	Daddario	Finnegan
Brademas	Daniels	Fountain
Brooks, Tex.	Dawson	Friedel
Buckley	Delaney	Gallagher

Garmatz	Loser	Rivers, Alaska
Gialmo	McDowell	Rodino
Gilbert	McFall	Rogers, Colo.
Gonzalez	Macdonald	Rooney
Granahan	Mack	Rosenthal
Gray	Madden	Rostenkowski
Green, Oreg.	Magnuson	Roush
Green, Pa.	Miller, Clem	Ryan, Mich.
Griffiths	Miller,	Ryan, N.Y.
Hagen, Calif.	George P.	St. Germain
Hansen	Monagan	Santangelo
Harding	Montoya	Scott
Harris	Moorhead, Pa.	Shelley
Hays	Morgan	Sheppard
Healey	Morris	Shipley
Hechler	Morrison	Slack
Holifield	Moss	Smith, Iowa
Holland	Multer	Smith, Miss.
Hull	Murphy	Staggers
Inouye	Natcher	Steed
Jarman	Nedzi	Stratton
Joelson	Nix	Stubblefield
Johnson, Calif.	O'Brien, Ill.	Sullivan
Johnson, Md.	O'Brien, N.Y.	Thomas
Jones, Ala.	O'Hara, Ill.	Thompson, N.J.
Karsten	O'Hara, Mich.	Thompson, Tex.
Karth	Olsen	Toll
Kee	O'Neill	Trimble
Kelly	Perkins	Udall, Morris K.
Keogh	Peterson	Ullman
King, Calif.	Pfost	Vanik
Kirwan	Philbin	Walter
Kluczynski	Pike	Watts
Kornegay	Powell	Wickersham
Kowalski	Price	Young
Lankford	Pucinski	Zablocki
Lennon	Randall	Zelenko
Lesinski	Reuss	
Libonati	Rhodes, Pa.	

ANSWERED PRESENT—1

Everett

NOT VOTING—39

Alford	Hébert	Rousselot
Blitch	Hoffman, Mich.	Saund
Boggs	King, Utah	Scranton
Bolton	Laird	Sisk
Brewster	McMillan	Spence
Curtis, Mass.	McSween	Taber
Davis, Tenn.	Mailliard	Teague, Tex.
Diggs	Mason	Thompson, La.
Flood	May	Utt
Fogarty	Marrow	Whitten
Frazier	Moulder	Willis
Gubser	Roberts, Ala.	Winstead
Harrison, Va.	Roosevelt	Yates

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Everett for, with Mr. Davis of Tennessee against.

Mr. Winstead for, with Mr. Frazier against.

Mrs. May for, with Mr. Hébert against.

Mr. Rousselot for, with Mr. Boggs against.

Mr. Curtis of Massachusetts for, with Mr. Thompson of Louisiana against.

Mrs. Bolton for, with Mr. Willis against.

Mr. Utt for, with Mr. Roosevelt against.

Mr. Scranton for, with Mr. Roberts of Alabama against.

Mr. Laird for, with Mr. Fogarty against.

Mr. Gubser for, with Mr. Brewster against.

Mr. Taber for, with Mr. Diggs against.

Mr. Marrow for, with Mr. Yates against.

Mr. Mason for, with Mr. Sisk against.

Mr. Mailliard for, with Mr. King of Utah against.

Mr. Hoffman of Michigan for, with Mr. Flood against.

Mr. HAYS changed his vote from "yea" to "nay."

Mr. EVERETT. Mr. Speaker, I have a live pair with the gentleman from Tennessee [Mr. DAVIS]. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. ROBISON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ROBISON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ROBISON moves to recommit the bill H.R. 12135 to the House Committee on Public Works.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FALLON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and include extraneous matter.)

[Mrs. GREEN of Oregon's remarks will appear hereafter in the Appendix.]

MEDICAL CARE FOR THE AGED

(Mr. HALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. HALL. Mr. Speaker, the Senate's action yesterday in defeating the so-called King-Anderson proposal as an amendment to H.R. 10606, previously passed by this body, demonstrates the mistake of attempting to circumvent due legislative process for political purposes.

It is indeed unfortunate for the country that instead of taking a responsible position and paying heed to other and more sound solutions to medical problems, the President has resorted to name calling, and in so doing has condemned a third of the Members of his own party in the Senate, whose cumulative years of public service exceeds the ages of all three Kennedy brothers combined. One of those Members whom the President now calls upon the public to defeat at the polls next November is the same man for whom the President traveled a thousand miles—to Florida—recently in order to support his bid for reelection—a rather inconsistent position for our Chief Executive.

Of course, it was a staggering political defeat, but I suggest Mr. Speaker, that the Senate's action should not be an

end, but rather a milestone toward responsible legislation for problems facing our senior citizens. The other body's action will be demonstrated over the long pull, to be best for them, and all the country.

The Senate's decision should spur the individual States to greater action in implementing the Kerr-Mills program, now Public Law 86-778. With the appointment of a new Secretary of Health, Education, and Welfare, unmarred by involvement in the previous controversy, the administration can and should be far more effective in this vital area, already authorized by previous legislation. The various States who have a need as well as a desire to solve such a problem, should be encouraged.

The Congress should now also give serious consideration to bills aimed at providing tax relief for people over age 65 and for others who contribute to their medical costs. This is a much sounder approach than compulsory social security taxation. The only better course, perhaps, would be stabilizing the dollar they have saved or receive from any source.

On June 20, 1961, I introduced H.R. 7756, which is aimed at accomplishing these objectives. Although this bill was referred to the Treasury on January 18, 1962, for recommendations, it has gathered dust while the administration awaited action on the King-Anderson bill.

Since January 1961 the number of employees in the Department of Treasury has increased by 6,863, and surely they cannot be so busy as to preempt consideration of a measure to help our senior citizens to help themselves.

H.R. 7756 would permit a taxpayer to take a full deduction for contributions which he makes to the medical care of a person over 65 regardless of whether or not that person is his dependent. At the present time such deductions cannot be taken until they exceed 3 percent of adjusted gross income.

H.R. 7756 would amend the Internal Revenue Code so that the rule which only permits amounts spent for medicine and drugs in excess of 1 percent of gross income to be treated as medical expenses would not apply to persons who have attained age 65.

H.R. 7756 would allow deductions in full for prepaid medical care insurance which is to become effective after age 65.

H.R. 7756 would provide additional exemptions for catastrophic medical care expenditures. A taxpayer aged 65, who pays medical care expenses which amount to 25 percent or more of his adjusted gross income, would be given an additional exemption, and when such expenses exceed 50 percent he would be given two additional exemptions.

H.R. 7756 would allow persons age 65 and over to apply the same carryback and carryover tax principles which are now applicable only to corporations and farmers. Thus, a taxpayer over 65, whose income is insufficient to give him any tax benefit for his current medical expenses, could charge those expenses to a period when he did have taxable income.

This bill has been analyzed by many as so logical, simple, sound, and basic that one wonders why the particulars were not adopted long ago. It is one sound solution to any such existing problem that exists among our ailing and needy aging population.

Mr. Speaker, now that the Senate has closed the door on bad legislation, the President may choose to close the door on our older citizens and spend his time looking for votes instead of solutions. I urge the Members of this body to take the responsible approach instead, and consider passage of this or similar measures aimed at helping all Americans to help themselves.

CORRECTION OF ROLL CALL

Mr. O'KONSKI. Mr. Speaker, on rollcall No. 161, today, I am recorded as not being present. I was present and answered to my name. I ask unanimous consent that the permanent RECORD be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONGRESSMAN JOHN E. FOGARTY AND A DECADE OF PROGRESS IN MENTAL RETARDATION

(Mr. BOLAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BOLAND. Mr. Speaker, over the past decade one of our colleagues, the gentleman from Rhode Island, JOHN FOGARTY, had been spearheading the great advances made in the continuing fight to combat mental retardation. For some time I have been planning to document the work of the gentleman from Rhode Island [Mr. FOGARTY] in this field and bring to the attention of his associates a few of the more important developments attributable in a large degree to his strong efforts.

During this decade, interest, understanding, and support for the welfare for the mentally retarded in the United States developed rapidly. It began rather slowly in 1953, burgeoned in 1955, and progressed with speed to its current proportions. This development proceeded along multiple lines—research, treatment, rehabilitation, and education.

The individual layman most instrumental in powering this campaign for improving the plight of the mentally retarded is the gentleman from Rhode Island JOHN E. FOGARTY, through his Subcommittee on Appropriations of the House of Representatives. It was he who first brought to bear the influence of the Federal Government for bettering the lot of retarded children in the United States.

The first inkling of new methodologies for the study of mental retardation came in 1952 during hearings of the National Institute of Neurological Diseases and Blindness before the committee headed by the gentleman from Rhode Island [Mr. FOGARTY]. At this hearing it was pointed out that promising lines of in-

vestigation were developing in the studies of the effects of prenatal, natal, and postnatal damage to the nervous system. The most common deficits following these injuries were mental retardation and cerebral palsy. With the support of the gentleman from Rhode Island [Mr. FOGARTY] and his committee, these concepts were translated into the National Institute of Neurological Diseases and Blindness collaborative studies on the perinatal period and its aftermaths, notably mental retardation, cerebral palsy and other disabilities of early life. This project now involves 15 collaborating centers and an annual budget of approximately \$1 million. The project could not have been inaugurated, developed, or continued without the initial and sustained support of the gentleman from Rhode Island, JOHN E. FOGARTY, and his subcommittee.

A year later it was pointed out at the National Institute of Neurological Diseases and Blindness hearings that mental retardation could be produced in guinea pigs by oxygen deprivation in the prenatal period. In these experiments, female guinea pigs at term were used and one of the litter mates was delivered by cesarean section to be used as a normal control. Others of the litter were asphyxiated by blocking the placental circulation for a stated period of time, then delivering and resuscitating them. The asphyxiated guinea pigs developed an enduring mental retardation as measured by the usual maze intelligence test for animals.

The guinea pig experiments led to the decision to do analogous work with rhesus monkeys because of their unique intelligence at birth which can be objectively measured and compared to that of humans in the performance of purposeful acts in early life. The result was the acquisition of Cayo Santiago, an island near Puerto Rico with a free-ranging colony of rhesus monkeys and the establishment of the National Institute of Neurological Diseases and Blindness laboratory of perinatal physiology in San Juan. This project is progressing well and promises early breakthrough in our knowledge of causation of mental retardation in monkeys which may be compared with that in man. From the outset, the gentleman from Rhode Island, Congressman FOGARTY, has been interested and supported the Puerto Rico project which he has visited on several occasions.

These early developments, however, have been of a general character and not related inclusively to mental retardation. To generate a widespread public interest and development in a specific disability category, it is essential for it to be named and supported specifically. This the gentleman from Rhode Island, Congressman FOGARTY, did in 1955. In the winter of that year he was already actively concerned with the problem when he met with the Parents Council for Retarded Children of Rhode Island. Parents described how little was being done for their children and the difficulties they faced in obtaining proper medical and educational opportunities for them. This made a deep impression on the Con-

87TH CONGRESS
2D SESSION

H. R. 12135

87TH CONGRESS
2D SESSION

H. R. 12135

IN THE SENATE OF THE UNITED STATES

JULY 19, 1962

Read twice and referred to the Committee on Public Works

AN ACT

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

SHORT TITLE

SECTION 1. This Act may be cited as the “Federal-Aid Highway Act of 1962”.

AUTHORIZATIONS

7 SEC. 2. For the purpose of carrying out the provisions
8 of title 23 of the United States Code the following sums
9 are hereby authorized to be appropriated:

10 (1) For the Federal-aid primary system and the

1 Federal-aid secondary system and for their extension within
2 urban areas, out of the Highway Trust Fund, \$950,000,000
3 for the fiscal year ending June 30, 1964, and \$975,000,000
4 for the fiscal year ending June 30, 1965. The sums author-
5 ized in this paragraph for each fiscal year shall be available
6 for expenditure as follows:

7 (A) 45 per centum for projects on the Federal-aid
8 primary highway system;

9 (B) 30 per centum for projects on the Federal-aid
10 secondary highway system; and

11 (C) 25 per centum for projects on extensions of
12 the Federal-aid primary and Federal-aid secondary high-
13 way systems in urban areas.

14 (2) For forest highways, \$33,000,000 for the fiscal
15 year ending June 30, 1964, and \$33,000,000 for the fiscal
16 year ending June 30, 1965.

17 (3) For forest development roads and trails, an addi-
18 tional \$10,000,000 for the fiscal year ending June 30,
19 1963, \$70,000,000 for the fiscal year ending June 30, 1964,
20 and \$85,000,000 for the fiscal year ending June 30, 1965.

21 (4) For public lands development roads and trails,
22 \$2,000,000 for the fiscal year ending June 30, 1964, and
23 \$4,000,000 for the fiscal year ending June 30, 1965.

24 (5) For park roads and trails, \$22,000,000 for the

1 fiscal year ending June 30, 1964, and \$25,000,000 for the
2 fiscal year ending June 30, 1965.

3 (6) For parkways, \$16,000,000 for the fiscal year
4 ending June 30, 1964, and \$16,000,000 for the fiscal year
5 ending June 30, 1965.

6 (7) For Indian reservation roads and bridges, \$16,-
7 000,000 for the fiscal year ending June 30, 1964, and
8 \$18,000,000 for the fiscal year ending June 30, 1965.

9 (8) For public lands highways, \$3,000,000 for the
10 fiscal year ending June 30, 1964, and \$3,000,000 for the
11 fiscal year ending June 30, 1965.

12 ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

13 SEC. 3. (a) Chapter 1 of title 23 of the United States
14 Code is amended by adding at the end thereof the following
15 new section:

16 “§ 133. Relocation assistance

17 “(a) As used in this section the term ‘eligible person’
18 means any individual, family, business concern (including
19 the operation of a farm) and nonprofit organization to be
20 displaced by construction of a project.

21 “(b) The Secretary prior to his approval of any project
22 under section 106 of this title for right-of-way acquisition or
23 actual construction shall require the State highway depart-
24 ment to give satisfactory assurance that relocation advisory

1 assistance shall be provided for the relocation of families
2 displaced by acquisition or clearance of rights-of-way for any
3 Federal-aid highway.

4 “(c) The Secretary shall approve, as a part of the cost
5 of construction of a project on any of the Federal-aid high-
6 way systems, such relocation payments as may be made by
7 a State highway department, or a local public agency act-
8 ing as an agent for the State highway department for this
9 purpose, to eligible persons for their reasonable and neces-
10 sary moving expenses caused by their displacement from
11 real property acquired for such project. However, the
12 Secretary shall not require a State to pay relocation pay-
13 ments where not authorized by State law.

14 “(d) Payments under this section shall be subject to
15 such rules and regulations as may be prescribed by the
16 Secretary, and shall not exceed \$200 in the case of an
17 individual or family, or \$3,000 in the case of a business con-
18 cern (including the operation of a farm) or nonprofit or-
19 ganization. In the case of a business (including the opera-
20 tion of a farm) and in the case of a nonprofit organization,
21 the allowable expenses for transportation under this sub-
22 section shall not exceed the cost of moving 50 miles from the
23 point from which such business or organization is being dis-
24 placed. Such rules and regulations may include provisions

1 authorizing reimbursement for payments made to individuals
2 and families of fixed amounts (not to exceed \$200 in any
3 case) in lieu of their respective reasonable and necessary
4 moving expenses.

5 “(e) This section shall apply only with respect to
6 projects approved under section 106 of this title after the
7 date of enactment of this section.”

8 (b) The analysis of chapter 1 of title 23 of the United
9 States Code is amended by adding at the end thereof the
10 following:

“133. Relocation assistance.”

11 PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

12 SEC. 4. (a) Section 101 of title 23, United States Code,
13 is amended by inserting immediately after the paragraph
14 which begins “The term ‘project agreement’ means”, the
15 following:

16 “The term ‘public lands development roads and trails’
17 means those roads or trails which the Secretary of the In-
18 terior determines are of primary importance for the devel-
19 opment, protection, administration, and utilization of public
20 lands and resources under his control.”

21 (b) Chapter 2 of title 23 of the United States Code is

1 amended by adding at the end thereof the following new
2 section:

3 **“§ 214. Public lands development roads and trails**

4 “(a) Funds available for public lands development
5 roads and trails shall be used to pay the cost of construction
6 and improvement of such roads and trails.

7 “(b) Funds available for public lands development roads
8 and trails shall be available for adjacent vehicular parking
9 areas and for sanitary, water, and fire control facilities.

10 “(c) The Secretary shall approve the location, type,
11 and design of all projects for public lands development roads
12 and trails before any expenditures are made thereon and
13 all construction thereof shall be under the general super-
14 vision of the Secretary.”

15 (c) The analysis of chapter 2 of title 23 is amended by
16 adding at the end thereof the following:

“214. Public lands development roads and trails.”

17 **AVAILABILITY OF FUNDS—OTHER HIGHWAYS**

18 **SEC. 5.** Section 203 of title 23 of the United States Code
19 is amended by inserting immediately before the phrase “park
20 roads and trails”, at each of the two places it appears in such
21 section, the following: “public lands development roads and
22 trails,”.

1 FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN

2 AREAS

3 SEC. 6. (a) The last sentence of subsection (c) of sec-
4 tion 103 of title 23, United States Code, is amended to read
5 as follows: "This system may be located both in rural and
6 urban areas, but any extension of the system into urban
7 areas shall be subject to the condition that such extension
8 pass through the urban area or connect with another Federal-
9 aid system within the urban area."

10 (b) The amendment made by subsection (a) of this sec-
11 tion shall apply to apportionments made before as well as
12 after the date of enactment of this Act.

13 TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

14 SEC. 7. (a) Chapter 1 of title 23, United States Code,
15 is amended by adding immediately following section 133 the
16 following new section:

17 **"§ 134. Transportation planning in certain urban areas**

18 "It is declared to be in the national interest to encourage
19 and promote the development of transportation systems,
20 embracing various modes of transport in a manner that
21 will serve the States and local communities efficiently and
22 effectively. To accomplish this objective the Secretary shall
23 cooperate with the States, as authorized in this title, in the

1 development of long-range highway plans and programs
2 which are properly coordinated with plans for improvements
3 in other affected forms of transportation and which are for-
4 mulated with due consideration to their probable effect on
5 the future development of urban areas of more than fifty
6 thousand population. After July 1, 1965, the Secretary
7 shall not approve under section 105 of this title any program
8 for projects in any urban area of more than fifty thousand
9 population unless he finds that such projects are based on a
10 continuing comprehensive transportation planning process
11 carried on cooperatively by States and local communities in
12 conformance with the objectives stated in this section.”

13 (b) The analysis of chapter 1 of title 23, United States
14 Code, is amended by adding at the end thereof the following:

“134. Transportation planning in certain urban areas.”

15 RURAL DELIVERY AND STAR ROUTE MILEAGE

16 SEC. 8. (a) Subsection (b) (1) of section 104 of title
17 23 of the United States Code is amended by striking out
18 “preceding fiscal year” and inserting in lieu thereof “pre-
19 ceding calendar year”.

20 (b) The amendment made by subsection (a) of this sec-
21 tion shall be applicable only with respect to apportionments
22 made after the date of enactment of this Act.

HIGHWAY PLANNING AND RESEARCH FUNDS

SEC. 9. Subsection (c) of section 307 of title 23 of the United States Code is amended by inserting “(1)” immediately after “(c)”, by striking out “any year” and inserting in lieu thereof “each fiscal year prior to the fiscal year 1964”, and by adding at the end thereof the following:

“(2) One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.

“(3) In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraphs (1), (2), and (3) of section 104 (b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection.

“(4) Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary

1 determines that the interests of the Federal-aid highway pro-
2 gram would be best served without such matching.”

DEFINITIONS

4 SEC. 10. For the purposes of section 2 of this Act each
5 of the following terms shall have the same meaning as is
6 given it in section 101 of title 23 of the United States Code:

- 7 (1) Forest development roads and trails;
- 8 (2) Forest highway;
- 9 (3) Indian reservation roads and bridges;
- 10 (4) Park roads and trails;
- 11 (5) Parkway;
- 12 (6) Public lands highways;
- 13 (7) Federal-aid primary system;
- 14 (8) Federal-aid secondary system;
- 15 (9) Urban area;
- 16 (10) Public lands development roads and trails.

Passed the House of Representatives July 18, 1962.

Attest: RALPH R. ROBERTS,
Clerk.

AN ACT

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

JULY 19, 1962

Read twice and referred to the Committee on Public Works

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued August 9, 1962
For actions of August 8, 1962
87th-2d, No. 138

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HIGHLIGHTS: Sen. Williams, Del., criticized payments under feed grains program. Sen. Miller inserted items critical of farm program. Senate passed International Wheat Agreement extension bill. Senate committee reported bill to aid domestic lumber industry. Senate passed Pacific Northwest electric power preference bill. Senate passed bill to establish Commission on Science and Technology. Rep. Johnson, Wis., criticized CED report. House committee reported bill to provide additional research facilities at experiment stations.

- SENATE

1. FARM PROGRAM. Sen. Williams, Del., criticized payments under the feed grain program to large producers, stated that the program "definitely does not benefit the small farmer," and inserted a listing of payments under the 1961 feed grain program. pp. 14879-85

Sen. Miller inserted an article, "Farm Showdown - All Signs Point To It As Capitol Mood, Makeup Change," and an editorial on the results of the turkey marketing referendum, "Coming Home to Roost." pp. 14908-9

2. FORESTRY. The Commerce Committee reported with amendment S. 3517, to authorize the Secretary of Commerce to establish and carry out a program to promote the flow of domestically produced lumber in commerce (S. Rept. 1860). p. 14875

The Rules and Administration Committee reported a resolution authorizing the printing of a Senate document, "Trial Program of Public Land Range Appraisal." p. 14875

Passed as reported S. 1878, to authorize the addition of approximately 24,000 acres of land to the Wasatch National Forest, Utah. pp. 14945-6

3. WHEAT. Passed without amendment S. 3574, to extend the authority contained in the International Wheat Agreement Act so as to implement the 1962 International Wheat Agreement. pp. 14932-5
4. ELECTRIFICATION. By a vote of 51 to 36, passed as reported S. 3153, to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal plants in that region and to guarantee electric consumers in other regions reciprocal priority (pp. 14885-91, 14893-5, 14899-907, 14913-23, 14950-1). Rejected an amendment by Sen. Goldwater, as modified, to include other States, in addition to the States in the Pacific Northwest, within the purview of the bill (pp. 14885-91, 14893-5, 14899-907, 14913). Agreed to a motion by Sen. Bible to table an amendment by Sen. Goldwater to provide that Ariz. would be allocated one-half of the electric power generated at Federal power projects on streams forming the boundary of Ariz. and other States. (p. 14913). By a vote of 33 to 53, rejected a motion by Sen. Scott to recommit the bill to the Interior and Insular Affairs Committee (pp. 14913).
5. RESEARCH. Passed as reported S. 2771, to provide for the establishment of a Commission on Science and Technology to study Federal scientific and technical programs, including a study of the establishment of programs, methods, and procedures for the effective reorganization of Federal departments and agencies conducting scientific programs and supporting basic scientific research. pp. 14946-8
6. WILDLIFE; SURPLUS PROPERTY. The Commerce Committee reported without amendment S. 2358, to authorize the transfer of surplus real property to the Department of the Interior or to the States for use in wildlife conservation programs (S. Rept. 1865). p. 14875
7. ROADS. Sen. Randolph submitted an amendment intended to be proposed to H. R. 12135, the road authorization bill, to authorize the construction of a road through the Monongahela National Forest in W. Va. p. 14876
8. CONTRACTS; NATIONAL PARKS. Passed without amendment H. R. 11405, to provide for maintenance and repair of Government improvements under concession contracts in the National Parks. This bill will now be sent to the President. p. 14932
9. RECLAMATION. Passed without amendment H. R. 23, to authorize construction of the Arbuckle reclamation project, Okla. This bill will now be sent to the President. Consideration of a similar bill, S. 892, was indefinitely postponed. pp. 14935-7
10. MINERALS. Passed as reported H. R. 10566, to provide for the withdrawal and orderly disposition of mineral interests in certain public lands in Pima County, Ariz. p. 14937
Passed as reported H. R. 8134, to effect a statutory withdrawal of certain former Taylor Grazing Act lands near Phoenix, Ariz. from all forms of entry under the public land laws. pp. 14937-8
11. TARIFFS. Passed as reported H. R. 10928, to transfer casein or lactarene to the free list of the Tariff Act of 1930. pp. 14944-5
12. FOREIGN TRADE. Sen. Keating commended the proposal to develop a World Trade Center in New York. pp. 14895-7
13. COMMITTEE ASSIGNMENTS. Sen. Javits was excused from further service on the Banking and Currency Committee and assigned to the Appropriations Committee. Sen. Murphy was excused from further service on the Labor and Public Welfare

H. R. 12135

IN THE SENATE OF THE UNITED STATES

AUGUST 8, 1962

Referred to the Committee on Public Works and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia) to the bill (H.R. 12135) to authorize appropriations for the fiscal year 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, viz: On page 3, beginning with line 9, strike out all through line 11 and insert in lieu thereof the following:

- 1 (8) For public lands highways, \$7,000,000 for the
- 2 fiscal year ending June 30, 1964, of which \$4,000,000 is
- 3 for a highway between United States Numbered Highways
- 4 19 and 50 through the Monongahela National Forest in West
- 5 Virginia, and \$7,000,000 for the fiscal year ending June 30,
- 6 1965, of which \$4,000,000 is for such a highway between
- 7 United States Numbered Highways 19 and 50 through the
- 8 Monongahela National Forest in West Virginia.

AMENDMENT

Intended to be proposed by Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia) to the bill (H.R. 12135) to authorize appropriations for the fiscal year 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

AUGUST 8, 1962

Referred to the Committee on Public Works and
ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

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or cited)

Issued Aug. 13, 1962

For actions of Aug. 10 & 11, 1962
87th-2d, Nos. 140 &
141

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HIGHLIGHTS: Senate rejected Morse motion for immediate consideration of farm bill. Sen. Williams, Del., charged administration's farm bill has criminal provision for noncompliance.

SENATE - AUG. 10

1. FARM PROGRAM. By a vote of 69 to 15, tabled a motion by Sen. Morse to proceed to consideration of H. R. 12391, the farm bill (pp. 15091-2). Sen. Morse criticized the delay in considering the farm bill, stating that "by postponing action on the farm bill, the Senate today has done a horrendous wrong to the farmers of America" (p. 15096).
Sen. Williams, Del., defended his recent statement that the Administration's farm proposal recommended to the Congress contained a criminal provision for noncompliance, stated that a "rebuttal by the unnamed spokesman for the Agriculture Department is deliberately misleading," and inserted material to support his position. p. 15101
2. COMMUNICATIONS. Resumed debate on H. R. 11040, the communications satellite bill (pp. 15087-9, 15092, 15095-100, 15104-14, 151124). This bill was reported without amendment earlier in the day by the Foreign Relations Committee (S.Rept. 1873) (p. 15114).

3. PERSONNEL. The Post Office and Civil Service Committee reported without amendment H. R. 8564, to provide for the escheat of the unclaimed payments under the Government life insurance program to the credit of the life insurance fund (S. Rept. 1877). p. 15114
4. SMALL BUSINESS; CONTRACTS. The Small Business Subcommittee of the Banking and Currency Committee approved for full committee consideration with amendment S. 3096, to amend the Small Business Act to provide that the program under which Government contracts are set aside for small business concerns shall not apply in the case of contracts for maintenance, repair, or construction. p.D712
5. NOMINATION. Received the nomination of Dr. Harvey Brooks to be a member of the National Science Board, National Science Foundation. p. 15087

HOUSE - AUG. 10

6. RESEARCH; FEED ADDITIVES. The Subcommittee on Health and Safety of the Interstate and Foreign Commerce Committee voted to report to the full committee H. R. 12437, to amend the Food and Drug Act so as to repeal a provision prohibiting issuance of regulations permitting animal feed additives found to induce cancer, based on certain findings by the Secretary of HEW. p. D713
7. APPROPRIATIONS. The Appropriations Committee voted to report (but did not actually report) H. R. 12870, the military construction appropriation bill for 1963. p. D712

SENATE - AUG. 11

8. COMMUNICATIONS. Continued debate on H. R. 11040, the communications satellite bill. pp. 15126, 15148-212
9. ROADS. Sen. Metcalf submitted amendments intended to be proposed to H. R. 12135, the road authorization bill. p. 15126
10. CONTRACTS. Sen. Neuberger urged enactment of equal pay legislation and inserted an article, "Bill to Assure Women Equal Pay Alarms Employers' Lobbyists--But Belated Attack Given Slim Chance to Block Passage; Senator Tower Cool to Opponents." pp. 15213-4
11. RECESSED until Mon., Aug. 13. p. 15215

ITEMS IN APPENDIX

12. FARM PROGRAM. Extension of remarks of Sen. Capehart inserting an editorial, "Retraining of Farmers," stating that former Secretary of Agriculture Wickard "is right in opposing the retraining of farmers for city jobs." p. A6121
13. FOOD AND DRUG; PESTICIDES. Extension of remarks of Rep. Broyhill inserting the testimony of the secretary of the Federation of Homemakers urging additional appropriations for the Food and Drug Administration for inspection activities, particularly for inspection of pesticide residues on foods for home consumption. pp. A6126-8

H. R. 12135

IN THE SENATE OF THE UNITED STATES

AUGUST 11 (legislative day, AUGUST 10), 1962

Referred to the Committee on Public Works and ordered to be printed

AMENDMENTS

Intended to be proposed by Mr. METCALF (for himself and Mr. RANDOLPH) to the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, viz:

1 On page 2, beginning with line 17, strike out all through
2 line 20 and insert in lieu thereof the following:

3 “(3) For forest development roads and trails, an
4 additional \$20,000,000 for the fiscal year ending June
5 30, 1963; for forest development roads and trails for
6 timber development, fire protection, and administra-
7 tion, \$70,000,000 for the fiscal year ending June 30,
8 1964, and \$85,000,000 for the fiscal year ending June
9 30, 1965; and for forest development roads and trails
10 for recreation, \$25,000,000 for the fiscal year ending

1 June 30, 1964, and \$25,000,000 for the fiscal year end-
2 ing June 30, 1965.”

3 On page 10, between lines 2 and 3, insert the following:

4 “AMENDMENT OF DEFINITION OF FOREST DEVELOPMENT
5 ROADS AND TRAILS

6 “SEC. 10. Section 101 (a) of title 23 of the United
7 States Code is amended by inserting after the period at the
8 end of the paragraph defining the term ‘forest development
9 roads and trails’ the following: ‘Such term includes (1)
10 “forest development roads and trails for timber development,
11 fire protection, and administration” which are roads and trails
12 designed and constructed primarily but not exclusively for
13 timber development, fire protection, and administration, and
14 (2) “forest development roads and trails for recreation”
15 which are roads and trails designed and constructed primarily
16 but not exclusively for recreation and scenic purposes.’

17 “AVAILABILITY OF CERTAIN FUNDS FOR CERTAIN HIGHWAY
18 AND ROAD IMPROVEMENT

19 “SEC. 11. (a) The first sentence of section 204 (a)
20 of title 23 of the United States Code is amended by striking
21 out ‘maintenance’ and inserting in lieu thereof ‘improvement’.

22 “(b) The first sentence of section 205 (a) of title 23
23 of the United States Code is amended by striking ‘mainte-
24 nance’ and inserting in lieu thereof ‘improvement’.

1 “(c) Section 209 (a) of title 23 of the United States
2 Code is amended by striking out ‘maintenance’ and inserting
3 in lieu thereof ‘improvement’.

4 “(d) The fourteenth paragraph under the heading
5 “Forest Service” in the Act of March 4, 1913 (16 U.S.C.
6 501) is amended by striking out the first sentence and insert-
7 ing in lieu thereof the following:

8 “‘Ten per centum of all moneys received from the
9 national forests during each fiscal year shall be available
10 at the end thereof, to be expended by the Secretary of Agri-
11 culture for the construction and improvement of roads and
12 trails within the national forests in the States from which
13 such proceeds are derived; and the Secretary of Agriculture
14 may, whenever practicable, in the construction, improve-
15 ment, and maintenance of such roads, secure the cooperation
16 or aid of the proper State or territorial authorities in further-
17 ance of any system of highways of which such roads may be
18 made a part.’”

19 On page 10, line 4, strike out “SEC. 10” and insert in
20 lieu thereof “SEC. 12”.

21 On page 10, line 16, strike out the period after “trails”
22 and insert in lieu thereof a semicolon, and after such line
23 insert the following:

24 “(11) Forest development roads and trails for

AMENDMENTS

Intended to be proposed by Mr. MERCALF (for himself and Mr. RANDOLPH) to the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

August 11 (legislative day, August 10), 1962
Referred to the Committee on Public Works and
ordered to be printed

1 timber development, fire protection, and administration;
2 “(12) Forest development roads and trails for
3 recreation.”

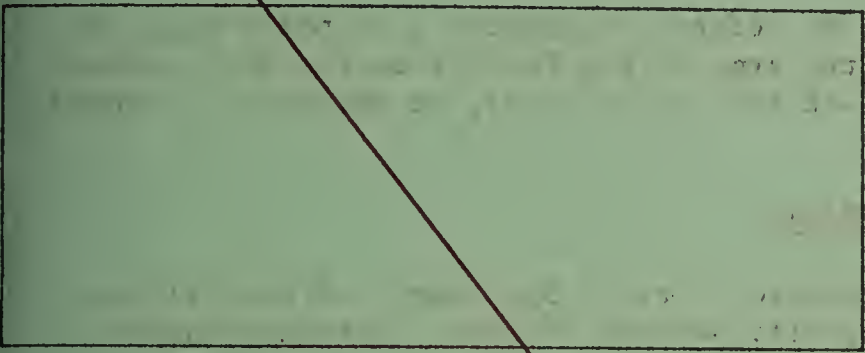
Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
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Issued August 29, 1962
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HIGHLIGHTS: House Rules Committee reported rule to send farm bill to conference. Several Senators defended Under Secretary Murphy against recent criticism. House passed appropriations continuation resolution. House began debate on public works acceleration bill. Rep. Johnson, Wis., inserted Secretary's statement criticizing CED farm policy report. Senate subcommittee voted to report roads bill. Senate committee reported measure for designation of National School Lunch Week.

HOUSE

1. APPROPRIATIONS. Passed without amendment H. J. Res. 864, the appropriations continuation resolution to make temporary appropriations until September 30, 1962, for those departments and agencies whose annual appropriation bills have not yet been enacted. p. 16847
2. FARM PROGRAM. The Rules Committee reported a resolution to send to conference H. R. 12391, the proposed Food and Agriculture Act of 1962. p. 16922
Rep. Johnson, Wis., criticized the farm policy proposals of the Committee for Economic Development and inserted a statement by Secretary Freeman criticizing these proposals. pp. 16909-12
3. COMMITTEES. Rep. Marshall resigned from, and Rep. Smith, Iowa., was elected to, the Appropriations Committee. p. 16847
4. PUBLIC WORKS. Began debate on H. R. 10113, the public works acceleration bill. pp. 16855-95

5. PARKS. Rep. Aspinall, Rep. Rutherford, and Rep. Saylor urged enactment of S. 2429, to revise the boundaries of the Virgin Islands National Park, St. John, V.I. pp. 16896-7
6. MILK. Rep. Halpern discussed the radioactive contamination of milk and said, "The problem of radioactive fallout is clearly a Federal responsibility." pp. 16918-20
7. PERSONNEL; VETERANS. Received from the Defense Department a proposed bill "to exempt certain Reserve officers of the Army or Air Force from the dual compensation restrictions of the Economy Act of June 30, 1962, as amended"; to Armed Services Committee. p. 16921

SENATE

8. FARM PROGRAM. Sens Morse, Burdick, Humphrey, Ervin, Sparkman, and Carroll commended the integrity, honesty, and public service of Under Secretary Murphy, and defended him against recent criticism relative to his role in the Estes case. pp. 16803-8
9. ROADS. The Subcommittee on Public Roads of the Public Works Committee voted to report to the full committee with amendments H. R. 12135, the road authorization bill. The "Daily Digest" states that one of the amendments would "add \$10 million for fiscal 1963 for forest roads and trails."
10. SCHOOL LUNCH. The Judiciary Committee reported without amendment S. J. Res. 211, providing for the designation of a week each year as National School Lunch Week (S. Rept. 1929). p. 16752
11. FORESTRY. The Interior and Insular Affairs Committee voted to report with amendment (but did not actually report) S. 2387, to authorize the establishment of the Canyonlands National Park, Utah. p. D778
Sen. Cooper submitted an amendment intended to be proposed to H. R. 8355, authorizing executive agencies to grant easement in, over, or upon real property of the U. S., so as to exclude lands reserved, dedicated, or acquired for national forest purposes. pp. 16753-4
12. TAXATION. Continued debate on H. R. 10650, the proposed Revenue Act of 1962 (pp. 16767-803, 16808-9, 16814-46). Agreed to the committee amendment relating to taxation of cooperatives, but deferred until later consideration of the committee amendment relating to deductions for farmers for land-clearing expenses (See Digest 150 for a summary of these amendments)(pp. 16767-90).
13. AMERICAN SAMOA. Agreed to the conference report on H. R. 10062, to extend the application of certain laws to American Samoa (see Digest 150 for an explanation of the bill as reported out of conference). p. 16813-4
14. LOANS. Agreed to the House amendments to S. 3327, to make certain federally impacted areas eligible for assistance under the public facility loan program. This bill will now be sent to the President. p. 16814
15. TRANSPORTATION. The Commerce Committee voted to report (but did not actually report) with amendment S. 3509, to place transactions involving unifications or acquisitions of control of freight forwarders under regulation of the Interstate Commerce Act. p. D778

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
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Issued Sept. 5, 1962
For actions of Sept. 4, 1962
87th-2d, No. 158

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		Wildlife.....22

HIGHLIGHTS: Senate committee voted to report roads bill. Senate committee voted to approve House amendments to public works acceleration bill. Sen. Bartlett urged greater fire protection for forest lands. Sen. Wiley commended cheese industry. Rep. Lindsay urged greater protection against radioactive contamination of food.

HOUSE

1. FORESTRY. Passed without amendment S. 1878, to add certain lands to the Wasatch National Forest, Utah. A similar bill, H. R. 7195, was laid on the table. This bill will now be sent to the President. p. 17323
2. FARM PROGRAM. The "Daily Digest" for Aug. 31 states, "Conferees, met in executive session to resolve the differences between the Senate and House-passed versions of H. R. 12391, proposed Food and Agriculture Act of 1962, but did not reach final agreement, and will meet again on Monday, September 10." p. D799
3. SAMOA. Both Houses agreed to without amendment H. Con. Res. 519, requesting the President to return H. R. 10062, to extend the application of certain laws to American Samoa, in order to allow the Clerk of the House to correct the enrollment. pp. 17320, 17399
4. AWARDS. Reps. Gross, Ray, and Ford objected to consideration of H. R. 4055, to authorize the payment of a monetary award to recipients of the National Medal of Science. This bill was stricken from the Consent Calendar. p. 17323

5. VETERANS. At the request of Rep. Weaver, passed over without prejudice H. R. 9962, to provide an extension of the period within which certain educational programs must be begun and completed in the case of persons called to active duty during the Berlin crisis. p. 17324
 6. RESERVOIRS. Passed without amendment H. R. 11799, defining the interest of local public agencies in water reservoirs constructed by the Government which have been financed partially by such agencies. p. 17326
 7. PERSONNEL. Passed as reported H. R. 2079, to amend the Classification Act of 1949 to authorize the establishment of hazardous-duty pay in certain cases. pp. 17326-7
 8. RADIOACTIVE CONTAMINATION. Rep. Lindsay urged a stepped-up program of effective countermeasures to combat radioactive contamination and said, "I think that a thorough public congressional investigation may be in order to determine how much cooperation between Federal and State health programs exists at the present time." pp. 17338-44
 9. PARKS. The Subcommittee on National Parks of the Interior and Insular Affairs Committee voted to report to the full committee with amendment H. R. 11781, to redesignate the Big Hole Battlefield National Monument and to revise the boundaries thereof. p. D804
- SENATE
10. ROADS. The Public Works Committee voted to report with amendments (but did not actually report) H. R. 12135, the proposed Federal-Aid Highway Act of 1962, which includes authorizations for forest highways and forest development roads and trails. p. D802
 11. PUBLIC WORKS. The Public Works Committee voted to rereport (but did not actually report) S. 2965, the public works acceleration bill. The "Daily Digest" states that the committee "agreed to recommend that the Senate agree to the House amendment to S. 2965" (p. D802). This bill, as passed by the House, had been referred to the committee earlier in the day (p. 17349).
 12. TAXATION. Continued debate on H. R. 10650, the proposed Revenue Act of 1962 (pp. 17349-50, 17361-415, 17420-1). By a vote of 16 to 49, rejected an amendment by Sen. Proxmire to eliminate public utilities from the investment credit provisions provided in the bill (pp. 17365-96).
 13. FORESTRY. Sen. Bartlett discussed the danger of forest fires to our timber resources, reviewed the progress made in the control of forest fires, and stated that "it is necessary that the public lands receive the most intensive protection possible." pp. 17351-3
 14. CHEESE. Sen. Wiley commended the domestic cheese industry, particularly for its development of American blue cheese which he stated "is today the most popular blue mold cheese in the country." pp. 17355-6
 15. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 12870, the military construction appropriation bill for 1963 (S. Rept. 1994). p. 17349
 16. FAIRS. Sen. Javits inserted a speech on plans for the N. Y. World's Fair in 1963-4, "The Biggest Box Office in History." pp. 17359-60

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued sept. 6, 1962
For actions of Sept. 5, 1962
87th-2d, No. 159

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HIGHLIGHTS: Senate committee voted to report bills for revised apportionment of school lunch and extension work funds, expanded forestry research, land development program in Alaska, and cooperation with States in administration of agricultural laws. Senate committee reported roads bill. Sen. Neuberger urged removal of Jones Act restrictions on lumber shipments to Puerto Rico. Sen. Humphrey urged discontinuance of administrative budget.

SENATE

1. AGRICULTURE AND FORESTRY COMMITTEE. The Agriculture and Forestry Committee voted to report (but did not actually report) without amendment S. 2805, to provide for a program of agricultural land development in Alaska; S. 3589, authorizing acquisition of certain lands in Wright County, Minn., for exchange for State-owned lands in Superior National Forest; S. 3475, to provide further cooperation with the States in the administration and enforcement of certain Federal laws; H. R. 9728, authorizing an increase from \$2.5 million to \$5 million in the annual appropriation under the Cooperative Forest Management Act; H. R. 12589, to revise the formula for the distribution of Federal funds for agricultural extension work; with amendment H. R. 12688, authorizing cooperation with and encouragement of the States in carrying out programs of forestry research; and H. R. 11665, to revise the formula for the apportionment among the States of funds under the National School Lunch Act. p. D808
2. INTERIOR AND INSULAR AFFAIRS COMMITTEE. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 3335, changing the name of Big Hole Battlefield National Monument to Big Hole National Battle-

field, and acquiring additional land therefor (amended); S. 3530, authorizing acquisition of land along the Delaware River for the creation of Tocks Island National Recreation Area (amended); S. 3160, to amend the act concerning homestead entry on land containing coal, oil, and gas so as to extend its provisions to the townsites laws applicable in Alaska (amended); S. J. Res. 136, to determine the susceptibility of minerals to electrometallurgical processes (amended); H. R. 9280, to give the Secretary of the Interior discretionary authority to sell certain mineral and vegetative materials on public lands by negotiation rather than by competitive bid when in the best interest of the Government; H. R. 10540, to make deposits of petrified wood disposable under the Materials Act; and H. R. 11164, to approve an amendatory repayment contract negotiated with the Quincy Columbia Basis Irrigation District. p. D809

3. ROADS. The Public Works Committee reported with amendments H. R. 12135, the proposed Federal-Aid Highway Act of 1962, which includes authorizations for forest highways and forest development roads and trails (S. Rept. 1997). p. 17425
4. FORESTRY. Sen. Neuberger stated that no domestic lumber is now being shipped to Puerto Rico because of certain restrictions of the Jones Act and that she intended to propose an amendment to the foreign trade bill to permit the Secretary of Commerce to waive Jones Act requirements with respect to such lumber shipments to Puerto Rico. p. 17427
5. BUDGET. Sen. Humphrey urged that the present administrative budget be replaced by two budgets, "the current budget covered by current revenues, and the capital budget financed largely by borrowings backed up by capital assets and by earnings from these projects," and stated that "until we scrap the obsolete accounting procedures of the Federal administrative budget, we will be unable to create the dynamism which one has a right to expect from the leader of the free world." pp. 17557-8
6. TAXATION. Continued debate on H. R. 10650, the proposed Revenue Act of 1962 (pp. 17425-7, 17440-556). Agreed to a unanimous-consent agreement that, effective Thurs., Sept. 6, further debate on the bill will be limited to four hours (p. 17516). Sen. McCarthy inserted a statement to clarify the tax status of farmers' cooperatives after Sen. Kerr assured him that "I have a positive conviction that nothing in the bill would lose to a cooperative any tax-exempt status it now has under existing law" (p. 17551).
7. RECLAMATION. The Interior and Insular Affairs Committee reported without amendment H. R. 575, to authorize construction of the upper division of the Baker reclamation project, Ore. (S. Rept. 1996). p. 17425
8. APPROPRIATIONS. The "Daily Digest" states that a subcommittee of the Appropriations Committee "marked up and agreed to report to the Subcommittee on Public Works proposed funds for the Atomic Energy Commission and the Tennessee Valley Authority embodied in H. R. 12900, fiscal 1963 appropriations for public works. p. D808
9. FOREIGN TRADE. Sen. Neuberger submitted an amendment intended to be proposed to H. R. 11970, the foreign trade bill. p. 17425
10. FORESTRY; NATURAL RESOURCES. Sen. Morse inserted his speech at the Western States Democratic Conference at Seattle, Wash., on Aug. 5, in which he discusses legislation relating to forestry, natural resource development, and other subjects. pp. 17569-70

FEDERAL-AID HIGHWAY ACT OF 1962

SEPTEMBER 5, 1962.—Ordered to be printed

Mr. CHAVEZ, from the Committee on Public Works, submitted the following

REPORT

[To accompany H.R. 12135]

The Committee on Public Works, to whom was referred the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, having considered the same, report favorably thereon with amendments, and recommend that the bill as amended do pass.

The amendments are indicated in the bill as reported and are shown by linetype and italic.

PURPOSE

The purpose of H.R. 12135, as amended, is to authorize continuation of the Federal-aid highway program for the regular systems for the fiscal years 1964 and 1965 on a uniform but slightly increased schedule, and to authorize additional amounts for roads on Federal lands for those years. The bill would also authorize funds for completion of the Rama Road in Nicaragua, and the Inter-American Highway in Central America and Panama. It would also authorize relocation payments for families and businesses displaced by acquisition or clearance of rights-of-way for any Federal-aid highway; authorizes a new category of public lands development roads and trails for important roads on the public domain; permits use of secondary highway funds for roads on that system located in urban areas; promotes cooperative transportation planning in certain urban areas by Federal, State, and local authorities; and permits the use of additional Federal-aid funds for highway planning and research.

HEARINGS

The committee held public hearings on H.R. 12135 and other bills dealing with highway matters on August 7 and 8, 1962. Witnesses

included the Federal Highway Administrator; Senators; Members of the House of Representatives; representatives of the Department of the Interior, Department of Agriculture; Department of State; representatives of the American Association of State Highway Officials, American Road Builders Association, and the National Association of County Officials; State officials, and others interested in the construction of highways in our Nation. These witnesses outlined the present status of the highway programs, the need for amendments to the existing highway laws, and the desire for authorization of additional funds to carry forward adequate road programs to take care of the traffic needs for certain classes of roads, and for development, protection, and utilization of the resources of our public lands and reservations.

AMENDMENTS

The Committee on Public Works recommends amendments to H.R. 12135 in the following respects:

1. Reduction of authorizations for the A-B-C systems for fiscal year 1965 from \$975 million to \$950 million, the same amount as recommended for fiscal year 1964.
2. Increase the additional funds for forest development roads and trails for fiscal year 1963 from \$10 million to \$20 million.
3. Increase funds for parkways for fiscal year 1964 from \$16 million to \$16,550,000.
4. Authorize the additional sum of \$6 million for fiscal year 1963 for public lands highways, and increase the amounts for fiscal years 1964 and 1965 from \$3 million to \$9 million for each of those years, a total increase of \$18 million.
5. Authorize \$850,000 for completion of the Rama Road in the Republic of Nicaragua.
6. Authorize an additional amount of \$32 million for completion of the Inter-American Highway in Central America and Panama, subject to satisfactory commitments for maintenance for the highway.
7. Permit the use of one-half of 1 percent of A-B-C apportionments for highway research purposes only.

Comparison with existing authorizations

[Millions of dollars]

Type of roads	Existing law		H.R. 12135, as amended		
	Fiscal year 1962	Fiscal year 1963	Fiscal year 1963	Fiscal year 1964	Fiscal year 1965
Federal-aid systems:					
Primary.....	416.25	416.25		427.50	427.50
Secondary.....	277.50	277.50		285.00	285.00
Urban.....	231.25	231.25		237.50	237.50
Subtotal.....	925.00	925.00		950.00	950.00
Forest highways.....	33.00	33.00		33.00	33.00
Forest development roads and trails.....	35.00	40.00	20.00	70.00	85.00
Public lands development roads and trails.....				2.00	4.00
Park roads and trails.....	18.00	18.00		22.00	25.00
Parkways.....	16.00	16.00		16.55	16.00
Indian reservation roads.....	12.00	12.00		16.00	18.00
Public lands highways.....	3.50	3.00	6.00	9.00	9.00
Rama Road.....				.85	
Inter-American Highway.....				32.00	
Total.....	1,042.50	1,047.00	26.00	1,151.40	1,140.00

AUTHORIZATION FOR FEDERAL-AID SYSTEMS

H.R. 12135 as reported by the committee continues the Federal-aid highway program for the A-B-C systems for an additional 2-year period, under the usual pattern that has been followed by the Congress for a number of years, that of biennial authorizations. Authorization of funds for fiscal years 1964 and 1965 for the Federal-aid primary and secondary highway systems and their extensions within urban areas at this time is believed necessary to give the States sufficient time for preparation of their construction programs, to make the necessary financial arrangements for matching the Federal funds, and to permit apportionment of such funds for future highway construction, in accordance with existing law.

The Federal-Aid Highway Act of 1960 authorized the sum of \$925 million for the A-B-C program for each of the fiscal years 1962 and 1963. While not specifically written into law, in enactment of the Federal-Aid Highway Act of 1956, it was generally agreed that there would be a progressive increase of \$25 million each year in funds authorized for the A-B-C program until an annual authorization of \$1 billion is reached.

The President in his message on highways (H. Doc. No. 96, 87th Cong., 1st sess.), recommended that authorizations for the A-B-C program be increased at a rate of \$25 million each 2 years until the \$1 billion level is reached. The Secretary of Commerce submitted proposed legislation to the Congress which would authorize \$950 million for each of fiscal years 1964 and 1965, for continuation of the construction of highways on the Federal-aid A-B-C systems, to carry out the recommendations of the President.

The committee is aware of the present inadequacies of our A-B-C highway systems, and the need for their improvement to adequate standards to carry their present traffic loads. This need should be met at the earliest possible time, consistent with sound planning and financing, and to keep the A-B-C program in proper balance with the interstate program. As additional mileage of the Interstate System is completed, the demand for improvement of connecting A-B-C roads will increase, as they are the feeder routes for the expressways of the Interstate System, and much of the traffic using the A-B-C roads will eventually reach interstate routes. The committee believes that authorization of \$950 million for the A-B-C program for fiscal year 1964, and a like amount for 1965, will provide a realistic program for continuing work on our basic road systems so vital to the economy of our Nation, can be adequately supported by the revenues accruing to the highway trust fund, and with the State matching funds will keep the A-B-C program in proper balance with other highway programs.

The mileages on the various designated Federal-aid highway systems are shown in the following tabulation:

Mileage of designated Federal-aid highway systems, by State, as of Dec. 31, 1960

State or territory	National System of Interstate and Defense Highways (included with primary mileage)			Federal-aid primary highway system (includes interstate mileage)			Federal-aid secondary highway system			Grand total		
	Rural	Urban	Total	Rural	Urban	Total	Rural	Urban	Total	Rural	Urban	Total
Alabama.....	777	97	874	5,647	719	6,366	21,728	459	22,187	27,375	1,178	28,553
Alaska.....				12,187	15	2,202	3,156	18	3,174	13,343	33	13,376
Arizona.....	1,119	42	1,161	2,684	85	2,769	3,755	297	4,062	6,439	382	6,821
Arkansas.....	477	41	518	3,692	254	3,946	14,284	210	14,494	17,976	464	18,440
California.....	1,629	553	2,182	7,967	1,469	9,436	11,061	877	11,938	19,028	2,346	21,374
Colorado.....	891	57	948	4,301	201	4,502	3,998	69	4,067	8,299	270	8,569
Connecticut.....	157	140	297	874	395	1,269	992	158	1,150	1,866	563	2,419
Delaware.....	36	4	40	537	48	585	1,400	16	1,416	1,937	64	2,001
Florida.....	1,012	108	1,120	4,765	605	5,370	12,675	445	13,120	17,440	1,050	18,490
Georgia.....	967	142	1,109	8,098	725	8,823	19,309	367	19,676	27,407	1,092	28,499
Hawaii.....	38	10	48	621	47	588	645	10	655	1,166	57	1,223
Idaho.....	593	19	612	3,131	85	3,216	5,271	46	5,317	8,402	131	8,533
Illinois.....	1,356	231	1,587	9,579	1,249	10,828	13,640	281	13,921	23,219	1,530	24,749
Indiana.....	1,119	134	1,253	5,206	793	5,999	16,381	256	16,637	21,557	1,049	22,606
Iowa.....	656	53	709	9,672	568	10,240	32,865	246	33,111	42,537	814	43,351
Kansas.....	687	114	801	7,347	442	7,789	23,404	162	23,566	30,751	604	31,355
Kentucky.....	637	59	696	4,225	325	4,550	15,062	174	15,236	19,287	499	19,786
Louisiana.....	590	93	683	2,933	381	3,314	7,555	170	7,725	10,488	551	11,039
Maine.....	292	20	312	1,788	141	1,929	2,240	60	2,300	4,028	201	4,229
Maryland.....	217	137	354	1,864	452	2,316	6,754	370	7,124	8,618	822	9,440
Massachusetts.....	281	181	462	1,561	822	2,383	1,666	555	2,221	3,184	1,377	3,561
Michigan.....	931	149	1,080	6,836	770	7,606	24,684	291	24,975	31,520	1,061	32,581
Minnesota.....	772	126	898	8,184	649	8,833	30,138	228	30,366	38,322	877	39,199
Mississippi.....	615	63	678	5,604	237	5,841	13,539	196	13,735	19,143	433	19,576
Missouri.....	980	125	1,105	8,747	547	9,294	23,036	115	23,151	31,783	662	32,445
Montana.....	1,165	14	1,179	6,133	103	6,236	5,209	23	5,232	11,342	126	11,468
Nebraska.....	480	9	489	5,684	165	5,849	17,475	43	17,518	23,159	208	23,367
Nevada.....	524	10	534	2,160	34	2,194	2,775	15	2,790	4,935	49	4,984
New Hampshire.....	196	18	214	1,116	118	1,234	1,620	54	1,674	2,736	172	2,908
New Jersey.....	212	159	371	1,310	809	2,119	1,601	551	2,152	2,911	1,360	4,271
New Mexico.....	976	27	1,003	3,828	202	4,030	5,498	57	5,555	9,326	259	9,585
New York.....	811	416	1,227	8,332	2,248	10,580	17,714	1,577	19,291	26,046	3,825	29,871
North Carolina.....	731	38	769	6,545	497	7,042	25,234	430	25,664	31,779	927	32,706
North Dakota.....	556	12	568	4,453	70	4,523	13,187	19	13,206	17,640	89	17,729
Ohio.....	1,720	222	1,942	7,622	1,148	8,770	17,412	631	18,043	20,453	1,779	26,813
Oklahoma.....	681	76	757	7,800	442	8,242	12,653	251	12,904	20,453	693	21,146
Oregon.....	1,282	51	1,333	3,766	252	4,018	7,500	106	7,606	11,266	358	11,624
Pennsylvania.....	33	259	292	7,142	1,393	8,535	12,257	1,160	13,417	19,399	2,553	21,952
Rhode Island.....	662	38	700	5,090	233	5,323	16,721	153	16,874	21,580	386	22,367
South Carolina.....	669	17	686	5,949	365	6,314	16,721	192	16,913	21,810	557	22,367
South Dakota.....		9	678	5,949	90	6,039	12,459	22	12,481	18,408	112	18,520

Tennessee.....	926	122	1,048	5,350	388	5,738	10,917	58	10,975	16,267	446	16,713
Texas.....	2,503	520	3,023	15,400	1,945	17,345	31,241	641	31,882	46,641	2,586	49,227
Utah.....	889	45	934	2,292	92	2,384	3,693	67	3,760	5,885	159	6,144
Vermont.....	312	12	324	1,513	81	1,594	1,814	23	1,837	3,327	104	3,431
Virginia.....	952	101	1,053	5,141	505	5,646	18,307	209	18,516	23,448	714	24,162
Washington.....	596	129	725	3,683	332	4,015	10,772	254	11,026	14,455	586	15,041
West Virginia.....	352	33	385	2,556	223	2,779	10,631	98	10,729	13,187	321	13,508
Wisconsin.....	425	27	452	5,860	502	6,362	18,010	839	18,849	23,870	1,341	25,211
Wyoming.....	895	22	917	3,566	56	3,622	2,366	11	2,377	5,932	67	5,999
District of Columbia.....		28	28	408	141	141	1,035	52	1,087	1,443	234	1,639
Puerto Rico.....					144							
Total.....	35,505	5,112	40,617	240,875	24,602	265,477	587,659	13,705	601,364	828,534	38,307	866,841

¹ Alaska includes 346 miles of ferry routes.

² 383 miles within the 41,000-mile limitation are not assigned to routes, and are held in reserve for adjustments of route lengths as final locations are selected and projects built

The primary and secondary highways, and their extensions within urban areas, extend into almost every locality in the United States. These so-called A-B-C roads comprise about 826,000 miles and carry about 50 percent of the total of all highway traffic in the country. Many motor vehicles in various rural sections of the country travel exclusively on A-B-C roads. The present mileage of the Federal-aid primary system is 224,860 miles, exclusive of Interstate System mileage, of which 205,370 miles are in rural areas and 19,490 miles are in urban areas. The Federal-aid secondary system now consists of 601,364 miles, including 587,659 rural miles and 13,705 urban miles.

For the A-B-C program, including the program financed from the special funds authorized by section 2(a) of the Federal-Aid Highway Act of 1958, projects have been completed since July 1, 1956, at a total cost of \$9.6 billion. The completed projects include over 137,000 miles of construction contracts, at a total cost of \$9.0 billion, and engineering and right-of-way acquisition totaling \$633 million. On June 30, 1962, A-B-C projects underway or authorized totaled \$3.5 billion, covering 25,800 miles of construction contracts at a total cost of \$3.1 billion, and engineering and right-of-way acquisition projects totaling \$490 million.

The revised schedule of authorizations for the Interstate System provided by the Federal-Aid Highway Act of 1961 for apportionment through 1971 is sufficient for completion of that system. A total of 12,550 miles of the Interstate System has now been improved and open to traffic. In addition, 4,801 were under construction on June 30, 1962, and engineering or right-of-way acquisition were underway on 10,927 miles. Thus on June 30, 1962, some form of work was completed or underway on 28,278 miles or 69 percent of the 41,000-mile Interstate System, leaving 12,722 miles on which work has not yet started.

The operations of the highway trust fund for the 6-year period July 1, 1956, through June 30, 1962, were as follows:

		July 1, 1956- June 30, 1962
Receipts:		
Tax sources (net).....	\$13, 864, 025, 802	
Advances from general fund.....	419, 000, 000	
Interest on investments.....	45, 008, 448	
Total.....	14, 328, 034, 250	
Expenditures:		
Federal highways.....	13, 433, 172, 198	
Repayment of advances.....	419, 000, 000	
Interest on advances.....	5, 610, 162	
Total.....	13, 857, 782, 360	
Balance on hand.....	470, 251, 890	

The amounts recommended in H.R. 12135 for highways in each classification of the regular Federal-aid systems, for fiscal years 1964 and 1965, would be in the usual 45-30-25 percentage ratio, with the following sums available for each of the systems:

		Authorizations, regular Federal-aid systems	Each of fiscal years 1964 and 1965
System:			
Primary (45 percent).....	\$427, 500, 000		
Secondary (30 percent).....	285, 000, 000		
Urban (25 percent).....	237, 500, 000		
Total.....	950, 000, 000		

These funds would be apportioned among the States in the manner now provided by law, and would be available for expenditure in the same manner as funds for these highways are made available under present law; that is, for 2 years after the close of the fiscal year for which such funds are authorized.

Existing law provides authorizations for the Interstate System in the amount of \$2.6 billion for fiscal year 1964 and \$2.7 billion for fiscal year 1965. The approximate amounts which will be apportioned to each State for fiscal years 1964 and 1965 for the A-B-C program as authorized in H.R. 12135, and for the Interstate System under present authorizations are shown in the following tabulations:

Approximate apportionments of Federal-aid highway funds, fiscal year 1964

[Thousands of dollars]

State	Pursuant to H.R. 12135				Interstate (\$2,600,000)	Total (\$3,550,000)
	Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)		
Alabama.....	\$8,178	\$6,244	\$3,188	\$17,610	\$53,635	\$71,245
Alaska.....	22,696	15,233	156	38,085		38,085
Arizona.....	6,337	4,111	1,773	12,221	36,407	48,628
Arkansas.....	6,087	4,847	1,292	12,226	27,138	39,364
California.....	21,862	10,154	25,672	57,688	247,918	305,606
Colorado.....	7,105	4,609	2,415	14,129	34,379	48,508
Connecticut.....	2,992	1,622	4,581	9,195	36,613	45,808
Delaware.....	2,111	1,407	544	4,062	9,654	13,716
Florida.....	7,849	4,863	6,669	19,381	53,789	73,170
Georgia.....	10,473	7,909	3,843	22,225	47,781	70,006
Hawaii.....	2,111	1,407	880	4,398	20,360	24,758
Idaho.....	4,726	3,392	501	8,619	12,170	20,789
Illinois.....	15,933	8,727	15,229	39,889	135,256	175,145
Indiana.....	9,696	7,009	5,322	22,027	64,213	86,240
Iowa.....	9,619	7,162	2,535	19,316	32,813	52,129
Kansas.....	9,561	6,676	2,327	18,564	20,103	38,667
Kentucky.....	6,944	5,888	2,368	15,200	52,890	68,090
Louisiana.....	6,353	4,570	3,712	14,635	74,894	89,529
Maine.....	3,138	2,384	805	6,327	12,247	18,574
Maryland.....	4,192	2,628	4,288	11,108	47,499	58,607
Massachusetts.....	5,382	2,380	8,184	15,946	55,561	71,507
Michigan.....	13,179	8,277	10,755	32,211	101,031	133,242
Minnesota.....	10,726	7,560	3,888	22,174	67,063	89,237
Mississippi.....	6,626	5,567	1,393	13,586	31,503	45,089
Missouri.....	11,306	7,740	5,270	24,316	66,318	90,634
Montana.....	7,821	5,426	543	13,790	24,263	38,053
Nebraska.....	7,688	5,478	1,368	14,534	15,148	29,682
Nevada.....	4,846	3,223	358	8,427	13,069	21,496
New Hampshire.....	2,111	1,407	627	4,145	11,631	15,776
New Jersey.....	5,968	2,049	10,191	18,208	67,602	85,810
New Mexico.....	6,606	4,457	1,147	12,210	25,880	38,090
New York.....	19,292	8,412	27,316	55,020	122,855	177,875
North Carolina.....	9,971	8,914	3,111	21,996	21,208	43,204
North Dakota.....	5,411	3,965	417	9,793	11,451	21,244
Ohio.....	14,660	9,138	13,402	37,200	176,952	214,152
Oklahoma.....	8,523	5,932	2,616	17,071	31,195	48,266
Oregon.....	6,546	4,575	1,982	13,103	45,034	58,137
Pennsylvania.....	15,690	10,062	15,094	40,846	115,974	156,820
Rhode Island.....	2,111	1,407	1,426	4,944	9,551	14,495
South Carolina.....	5,407	4,724	1,699	11,830	22,389	34,219
South Dakota.....	5,952	4,306	431	10,689	17,023	27,712
Tennessee.....	8,277	6,536	3,378	18,191	65,343	83,534
Texas.....	25,851	16,337	13,180	55,368	117,309	172,677
Utah.....	4,635	3,007	1,237	8,879	37,537	46,416
Vermont.....	2,111	1,407	330	3,848	17,895	21,743
Virginia.....	8,031	6,269	4,112	18,412	78,797	97,209
Washington.....	6,780	4,582	3,548	14,910	54,046	68,956
West Virginia.....	4,163	3,742	1,248	9,153	39,026	48,179
Wisconsin.....	9,485	6,691	4,589	20,765	22,928	43,693
Wyoming.....	4,816	3,277	280	8,373	24,879	33,252
District of Columbia.....	2,111	1,407	1,489	5,007	37,280	42,287
Puerto Rico.....	2,111	2,342	1,822	6,275		6,275

Approximate apportionments of Federal-aid highway funds, fiscal year 1965

[Thousands of dollars]

State	Pursuant to H.R. 12135				Interstate (\$2,700,000)	Total (\$3,650,000)
	Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)		
Alabama.....	\$8,178	\$6,244	\$3,188	\$17,610	\$55,698	\$73,308
Alaska.....	22,696	15,233	1,156	38,085	-----	39,088
Arizona.....	6,337	4,111	1,773	12,221	37,807	50,028
Arkansas.....	6,087	4,847	1,292	12,226	28,182	40,408
California.....	21,862	10,154	25,672	57,688	257,453	305,141
Colorado.....	7,105	4,609	2,415	14,129	35,701	49,830
Connecticut.....	2,992	1,622	4,581	9,195	38,021	47,216
Delaware.....	2,111	1,407	544	4,062	10,025	14,087
Florida.....	7,849	4,863	6,669	19,381	55,858	75,239
Georgia.....	10,473	7,909	3,843	22,225	49,619	71,844
Hawaii.....	2,111	1,407	880	4,398	21,143	25,541
Idaho.....	4,726	3,392	501	8,619	12,638	21,257
Illinois.....	15,933	8,727	15,229	39,889	140,458	180,347
Indiana.....	9,696	7,009	5,322	22,027	66,683	88,710
Iowa.....	9,619	7,162	2,535	19,316	34,075	53,391
Kansas.....	9,561	6,676	2,327	18,564	20,877	39,441
Kentucky.....	6,944	5,888	2,368	15,200	54,925	70,125
Louisiana.....	6,353	4,570	3,712	14,635	77,775	92,410
Maine.....	3,138	2,384	805	6,327	12,718	19,045
Maryland.....	4,192	2,628	4,288	11,108	49,326	60,434
Massachusetts.....	5,382	2,380	8,184	15,946	57,698	73,644
Michigan.....	13,179	8,277	10,755	32,211	104,917	137,128
Minnesota.....	10,726	7,560	3,888	22,174	69,642	91,816
Mississippi.....	6,626	5,567	1,393	13,586	32,715	46,301
Missouri.....	11,306	7,740	5,270	24,316	68,869	93,185
Montana.....	7,821	5,426	543	13,790	25,196	38,986
Nebraska.....	7,688	5,478	1,368	14,534	15,731	30,265
Nevada.....	4,846	3,223	358	8,427	13,571	21,998
New Hampshire.....	2,111	1,407	627	4,145	12,078	16,223
New Jersey.....	5,968	2,049	10,191	18,208	70,202	88,408
New Mexico.....	6,606	4,457	1,147	12,210	26,876	39,086
New York.....	19,292	8,412	27,316	55,020	127,580	182,600
North Carolina.....	9,971	8,914	3,111	21,996	22,023	44,219
North Dakota.....	5,411	3,965	417	9,793	11,891	21,684
Ohio.....	14,660	9,138	13,402	37,200	183,758	220,958
Oklahoma.....	8,523	5,932	2,616	17,071	32,395	49,466
Oregon.....	6,546	4,575	1,982	13,103	46,766	59,869
Pennsylvania.....	15,690	10,062	15,094	40,846	120,434	161,280
Rhode Island.....	2,111	1,407	1,426	4,944	9,918	14,862
South Carolina.....	5,407	4,724	1,699	11,830	23,250	35,080
South Dakota.....	5,952	4,306	431	10,689	17,677	28,366
Tennessee.....	8,277	6,536	3,378	18,191	67,856	86,047
Texas.....	25,851	16,337	13,180	55,368	121,821	177,189
Utah.....	4,635	3,007	1,237	8,879	38,981	47,860
Vermont.....	2,111	1,407	330	3,848	18,584	22,432
Virginia.....	8,031	6,269	4,112	18,412	81,827	100,239
Washington.....	6,780	4,582	3,548	14,910	56,125	71,035
West Virginia.....	4,163	3,742	1,248	9,153	40,527	49,680
Wisconsin.....	9,485	6,691	4,589	20,765	23,810	44,575
Wyoming.....	4,816	3,277	280	8,373	25,836	34,209
District of Columbia.....	2,111	1,407	1,489	5,007	38,714	43,721
Puerto Rico.....	2,111	2,342	1,822	6,275	-----	6,439

FOREST HIGHWAYS

The forest highway system is composed of main and secondary roads within or adjacent to the national forests. It consists of 24,958 miles located in 40 States and Puerto Rico. Although this system is not wholly connected as is the case of the Federal-aid primary system, its routes are the principal means of transportation into and through the national forest areas which comprise approximately 186 million acres. More than half the total length of the system is located in the 13 Western States, and 88 percent of the total system length is coincident with the Federal-aid primary and secondary highway systems.

Construction operations on the forest highway system in the Western States, which are financed largely by forest highway funds,

are generally administered directly by the Bureau of Public Roads, in accordance with regulations jointly approved by the Secretaries of Agriculture and Commerce. In the East, where the apportionment of forest highway funds to any one State is relatively small and is generally supplemented by Federal-aid, State, or local funds, the construction is usually administered by the State highway department. In practically all cases, the forest highways are maintained by the State highway departments.

H.R. 12135 would authorize the sum of \$33 million for forest highways for each of the fiscal years 1964 and 1965. Such amounts are identical to those previously authorized under the Federal-Aid Highway Act of 1960 for fiscal years 1962 and 1963, and are necessary for the continuation of the forest highway program. Forest highway funds are apportioned to the States according to the area and value of the land owned by the United States within the national forests therein. The approximate apportionments of the forest highway funds for each of fiscal years 1964 and 1965 are as follows:

Apportionment of forest highway funds for fiscal years 1964 and 1965

<i>State</i>	<i>Apportionment of funds</i>	<i>State—Continued</i>	<i>Apportionment of funds</i>
Alabama.....	\$94, 496	New Hampshire.....	\$176, 341
Alaska.....	2, 876, 474	New Mexico.....	1, 322, 331
Arizona.....	1, 857, 456	North Carolina.....	203, 316
Arkansas.....	448, 606	North Dakota.....	117
California.....	4, 726, 004	Ohio.....	18, 072
Colorado.....	2, 369, 837	Oklahoma.....	22, 759
Florida.....	191, 697	Oregon.....	4, 545, 904
Georgia.....	116, 261	Pennsylvania.....	88, 074
Idaho.....	3, 359, 886	South Carolina.....	108, 179
Illinois.....	38, 033	South Dakota.....	258, 535
Indiana.....	22, 121	Tennessee.....	110, 622
Iowa.....	1, 070	Texas.....	104, 462
Kentucky.....	67, 835	Utah.....	1, 095, 914
Louisiana.....	76, 147	Vermont.....	59, 044
Maine.....	12, 359	Virginia.....	214, 589
Michigan.....	354, 108	Washington.....	2, 293, 608
Minnesota.....	456, 367	West Virginia.....	130, 226
Mississippi.....	155, 671	Wisconsin.....	184, 545
Missouri.....	168, 659	Wyoming.....	1, 407, 712
Montana.....	2, 630, 481	Puerto Rico.....	9, 307
Nebraska.....	30, 805		
Nevada.....	591, 970	Total.....	33, 000, 000

FOREST DEVELOPMENT ROADS AND TRAILS

Forest development roads and trails are those routes of primary importance for the protection, administration, and development of the national forests and the use and development of resources upon which communities within or adjacent to the national forests are dependent. These roads and trails are necessary for economical marketing of timber on a sustained yield basis from the national forests and other Federal land, and constitute an investment by the Federal Government that will return to the Treasury many times their cost. This system of roads and trails is administered by the Secretary of Agriculture through the U.S. Forest Service. The Bureau of Public Roads, at the request of the Forest Service, makes surveys, prepares plans and specifications, and supervises construction of certain of these roads. Funds appropriated for this class of roads are available for both construction and maintenance.

The 154 national forests and 18 national grasslands in the national forest system consist of 186 million acres of Federal lands in 39 States and the Commonwealth of Puerto Rico. These lands produce water, timber, forage, recreation services, fish, big game, other wildlife, and minerals. They include the most important watersheds in the West and the headwater lands of many important rivers in the East.

The forest development system at present consists of 179,213 miles of roads and 106,577 miles of trails. It is estimated that when completely installed this system will consist of 542,250 miles of access roads and that the trail network will be reduced to 80,000 miles. The total cost of completing this eventual system is \$6.7 billion.

The development program for the national forests which was submitted to the Congress September 21, 1961, sets forth the resource management and development work needed in the national forests during fiscal years 1963-72 to assure that the forests will meet their full share of present and future public needs. The estimated cost of the proposed 10-year program is approximately \$1.7 billion, of which \$1.2 billion should be financed with appropriated funds. The balance of about \$0.5 billion would constitute work performed by purchasers of national forest timber and would be financed by appropriate allowances in the appraisals of timber offered for sale. During the same decade about \$242 million will be required for maintenance, of which \$182 million would be appropriated funds and \$60 million required of purchasers of national forest timber during the period. This proposed program will permit completion of construction and reconstruction of about 79,400 miles of multiple-purpose roads and 8,000 miles of trails, and provide maintenance to full standards of 268,900 miles of existing and new roads and trails.

The access road and trail program is essential for protection of national forest resources from fire, insects, and disease; facilitates the use for recreation, hunting, and fishing resources; increases the volume of timber that can be marketed, especially for small sales, and the support of dependent communities and small business enterprises; and increases the level of salvage cutting of dead and dying timber stands and the opportunity to promptly salvage losses resulting from fire, windstorm, insects, and disease.

The current receipts from national forest timber exceed \$100 million. These financial revenues will rise to about \$230 million annually by the time the 10-year program is completed, from the annual sale of 13 billion board feet of sawtimber expected to be reached. On the basis that the end products from this timber will be worth about \$20 by the time they reach the ultimate consumer for every dollar of national forest stumpage sold, the total consumer value will be over \$4 billion. Payments from national forest revenues for county schools and roads will increase accordingly.

At the present time the national forests supply high quality water to 1,800 towns and cities in the West, including some of our great and growing metropolitan areas. Irrigation use and outdoor recreation associated with the 3 million acres of lakes and 81,000 miles of streams in the national forests will continue to grow. By 1975 alone it is estimated that our use of water will double, and by the year 2000 it will be necessary to derive at least 200 million acre-feet of water from national forests watersheds.

Recreational use of the national forest system is increasing at an extreme, rapid rate, as our growing population seeks rest, relaxation

and pleasure in isolated and scenic areas. National forest use for recreation purposes has risen from approximately 27 million visits in 1950 to over 100 million in 1961, with estimates of 195 million visits by 1972, and a probable of 635 million by the year 2000. Forest development road and trail funds can be used for vehicular parking areas and for sanitary, water, and fire control facilities, which assists in the development of the recreational resources of the national forests. The committee was advised that about 17 percent of the road and trail portion of the national forest program is used for roads needed for recreation, and that the 10-year program includes 8,000 miles of roads which are of primary importance for recreation.

The Forest Service has considered roads in the national forests that would be constructed primarily for the development, use, and enjoyment of scenic and recreation resources of the national forests along the route of the roads. Preliminary reconnaissance studies have been made of certain of these forest recreation roads. The Forest Service estimates that there are 181 potential forest recreation and scenic roads in the national forests located in 30 States with a total length of 5,634 miles and a probable cost of about \$612 million. The committee favorably considered the need for additional funds to meet the needs and demands for recreational roads. Realizing that the needs are great and apply to other classes of Federal lands and reservations, as well as forest lands, authorization for these additional funds are included under public lands highways.

H.R. 12135 authorizes an additional amount of \$20 million for fiscal year 1963 to bring the total authorization for that year to \$60 million, \$70 million for 1964, and \$85 million for 1965, as compared to the present level of \$40 million. The committee believes these amounts are urgently needed to keep the roadbuilding program more nearly on schedule and provide the access needed to harvest the projected timber cut, and meet the critical needs for recreation and fire roads.

In recent months the depressed condition of the lumber industry has emphasized the need for immediate remedial action. After a recent White House conference, a program designed to assist the lumber industry and improve its competitive position was announced. One of the steps outlined was the acceleration of the forest development road and trail program to provide access and make possible the sale of the full allowable cut of timber products from the national forests. Such an acceleration would also permit the development of multiple-purpose roads and trails and thereby intensify the use and enjoyment of all the resources of the national forests. Accordingly, the committee recommends an increase in the authorization for fiscal year 1963 by an additional amount of \$10 million, to \$20 million in H.R. 12135, and a total of \$60 million for that fiscal year.

Of the 186 million acres of land under Forest Service administration, approximately 80 million acres are in or adjacent to present areas of labor surplus and low rural income. Acceleration of resource development would contribute materially to improving the economy of these areas.

The committee believes that Federal funds invested in forest development roads and trails will return to the Treasury many times the amount of the investment, and believes that, insofar as possible, Federal appropriations should be used, rather than have the roads constructed by timber purchasers. The increase in Federal author-

izations previously made, and included in this bill, will gradually approach the total amount expended each year for development and access roads in the national forests.

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

Section 6 of H.R. 12135 amends title 23, United States Code, to provide for a new category of roads on the Federal domain to be known as public lands development roads and trails, with provisions similar to those existing for other roads on the Federal domain. The bill would authorize \$2 million for fiscal year 1964 and \$4 million for fiscal year 1965 for this new category of public lands development roads and trails.

Roads constructed under this authorization would be selected by the Secretary of the Interior as those of primary importance for the development, protection, administration, and utilization of public lands and resources under his control. The Secretary of Commerce would have the responsibility of approving the location, type, and design of all projects for these roads and their construction would be under the general supervision of the Department of Commerce. Funds for these roads would be available for construction and improvement, and they would be maintained by the Secretary of the Interior with funds appropriated for that purpose. Funds would also be available for construction of vehicular parking areas and for sanitary, water, and fire control facilities. The bill includes contract authorization for the funds authorized.

The committee was informed that the Bureau of Land Management of the Department of the Interior administers over 157 million acres of public lands in the Western United States and Alaska, of which about 44 million acres are classed as commercial forest land supporting a timber stand volume in excess of 204 billion board feet. Approximately 195 million board feet of timber are harvested each year from these public domain lands, which grosses about \$5 million, but has an end product value of \$100 million and creates an estimated 2,500 man-years of labor, a contributing factor to the economic growth of adjacent communities.

Additionally over 100 million acres of public range lands in the Western United States and an estimated 100 million acres of usable livestock and big game range in Alaska must be managed, protected, and developed. Access roads are essential to the management of these lands. Recreational pressures for increased use of these lands by the public further emphasize the critical needs for adequate roads.

Heretofore it has been the practice to construct most of the roads on Bureau of Land Management lands in forested areas through timber sale contract requirements. These roads may serve their primary purpose, but in most instances they are not adequate for the expanded use now placed on them. Construction of roads by timber sale purchasers places a burden on them, and the standards of the roads they provide are not adequate for the needs for full resource development.

The funds authorized would permit construction of over 300 miles of road in fiscal year 1964, and about 630 miles in fiscal year 1965. The rehabilitation and development of public lands for their many uses is being accelerated, and expenditures for roads are becoming more

significant. Inclusion of road needs of the Bureau of Land Management within the regular highway legislation will provide needed support for the public land resource program, insofar as roads are concerned, and will afford a basis for timely and orderly development of roads. The committee believes it proper that the authorization for roads on the public domain should be combined with other road authorizations to provide a more comprehensive bill and to afford an opportunity for adequate consideration within the total road program on Federal lands.

PARK ROADS AND TRAILS

H.R. 12135 contains authorization for roads and trails in national parks in the amounts of \$22 million for fiscal year 1964, and \$25 million for fiscal year 1965, an increase over amounts of \$18 million authorized for each of the fiscal years 1962 and 1963 for this class of highway.

On January 1, 1962, the National Park Service administered 192 individual national parks, monuments, recreation areas, and other areas, which include about 26 million acres of federally owned lands. Visitors to these areas totaled almost 80 million during 1961. These parks, monuments, and other areas contain about 7,000 miles of roads and about 8,700 miles of trails. These roads are constructed to emphasize interesting or distinguishing features, and are supplemented by trail systems to accommodate demands of visitors who wish to venture into remote or wilderness areas. In addition to roads and trails for visitor use, utility roads and truck trails required for forest protection, ranger patrol, and other uses are constructed. Much of the road construction in recent years has been for reconstructing or replacing existing roads, many of which were constructed many years ago.

The Mission 66 program is underway for improvement of the national parks to care for the large number of visitors each year. Good progress has been made on road and trail construction since inception of the program during the 1957 fiscal year. During the ensuing 7-year period, more than \$119 million has been authorized for road construction, and about \$75 million will be needed for the remaining 3 years to carry out the contemplated roads and trails construction. The committee was advised that about \$181 million is estimated to be needed for this purpose after 1966.

The committee believes that the increase in funds for park roads and trails is justified and necessary to meet the growing demands for reconstructing existing roads; to provide roads in areas which have been added to the national park system in recent years; for those areas which are proposed for addition within the immediate future years; to keep the funds for roads and trails in balance with funds for buildings and other construction; and to provide sufficient funds for access and circulatory roads in campgrounds.

PARKWAYS

H.R. 12135, as amended, includes \$16,550,000 for fiscal year 1964 and \$16 million for 1965. Authorizations for 1962 and 1963 are \$16 million for each year. The committee recommends an increase of \$550,000 for fiscal year 1964, to be used for relocation work on the

Natchez Trace Parkway in connection with the reservoir of the Pearl River Valley Water Supply District north of Jackson, Miss. This amount is needed to complete the paving on the relocation.

Parkway funds are available for construction, reconstruction, and improvement of parkways authorized by law and on lands to which title is vested in the United States. Many of these parkways are located within our national park system, and good progress has been made on the parkway program under the Mission 66 program. The amount of \$109 million has been authorized for parkways construction since the beginning of that program. The nine parkways total approximately 1,100 miles, of which about 672 miles have been completed and about 140 miles are under construction. It is estimated that about \$130 million will be required to complete six of the parkways, beginning with fiscal year 1964. Work on parkways is performed by the Bureau of Public Roads, in conformity with regulations jointly approved by the Secretary of Commerce and the Secretary of the Interior.

INDIAN RESERVATION ROADS

H.R. 12135 authorizes \$16 million for fiscal year 1964, and \$18 million for fiscal year 1965, for roads and bridges on Indian reservations, an increase from \$12 million, the present level of authorization.

The committee believes that the increase in the authorization for Indian reservation roads would enable the Indian Bureau to attain important objectives in education, conservation, and recreation, providing a better balanced and more efficient program.

Many of the existing schoolbus roads are inadequate, cause severe damage to equipment, and are impassable in bad weather. All-weather roads are needed to permit school attendance of additional Indian pupils on a day rather than a boarding basis, thus reducing the cost of construction and operation of schools. This will improve conditions and permit eventual transfer of Indian schools to the public school system and withdrawal of Federal services. The number of tourists seeking recreation in the picturesque Indian country is rapidly increasing, which furnishes an important economic opportunity for the Indian people. Expansion of industry on the reservations is now underway in the form of mining, oil and gas, uranium, timber, cattle, and farming. The efficient operation of these industries and the full development of their potential, and the protection, conservation, and management of the natural resources on which these industries are based, require an acceleration of the Indian Bureau road program.

PUBLIC LANDS HIGHWAY

Federal-aid acts since 1950 have provided funds to assist the States in developing main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations. These funds have been allotted by the Bureau of Public Roads on the basis of need to specific projects in various States. The committee was advised that the backlog of requests for projects from funds in this category amounts to about \$50 million. There are still many important sections of Federal-aid highways and segments of other highways located within the Federal domain which are in need of improvement. Completion of many of these routes will provide direct access

to these Federal lands, provide interconnections between existing highways to avoid wide detours around such land to reach points a short distance away, and permit the multiple-purpose development and utilization of these Federal lands.

As additional nationwide segments of the primary, secondary, and interstate systems are completed, they provide facilities for greater traffic volumes and access to our Federal lands, and will greatly increase the number of tourists and visitors seeking recreation in our national forests, national parks, monuments, and other Federal reservations. Access roads from these highways to, through, and on such reservations are needed to permit their full utilization.

The committee was fully advised of the need for additional recreational and scenic highways on Federal lands, and considered several specific projects that have been studied and some that are underway. Officials of the Forest Service advised the committee that they have made preliminary reconnaissance studies and estimates of cost of three recreation and scenic roads in the national forests, and studies of other routes desired for recreational purposes.

Of the routes studied, one in the Monongahela National Forest in West Virginia would be about 160 miles long and would cost about \$23 million to fully develop. Another in the Cherokee National Forest in Tennessee and the Nantahala National Forest in North Carolina would extend from Tellico Plains, Tenn., to Robbinsville, N.C., a distance of about 48 miles, with an estimated cost of \$7 million. The recreation and scenic road in the Ouachita National Forest between Mena, Ark., and U.S. Highway No. 271 north of Talihina, Okla., would be about 55 miles long and cost about \$7 million, including the Holson Valley Road. Other specific projects on public lands includes the Lagunitas Road in the Carson National Forest, N. Mex., extending from Tres Piedras, N. Mex., 45 miles to the vicinity of Cumbres, Colo., estimated cost \$3.6 million; a bridge and section of highway crossing the Colorado River at Hite, Utah, estimated cost \$4 million; and roads on Federal lands in Georgia, Montana, and Arizona. Plans for these highways are well along, they are urgently desired by Federal, State, and local officials, and full cooperation by the State highway departments has been assured.

The committee recommends an amendment to H.R. 12135, which would authorize an additional amount of \$6 million for public lands highways for fiscal year 1963, and increase the amounts for each of the fiscal years 1964 and 1965 from \$3 million to \$9 million, a total increase of \$18 million for roads in this category. This increased amount is recommended with the realization by the committee of the urgent need for improvement of roads in this category, and the vast benefits that will accrue therefrom. Based on information presented to the committee on certain specific roads in this category, it is hoped that in allocation of the additional funds recommended, the Federal Highway Administrator will give priority to the needs for funds for the specific public lands highway projects in West Virginia, Tennessee, North Carolina, Arkansas-Oklahoma, New Mexico, Montana, Arizona, and Utah.

The testimony received from various Federal representatives stressed the need for roads for recreation on Federal lands and reservations. The committee wishes to encourage the coordination of all Federal agencies in their studies of such roads and development of

plans in connection therewith, which will go far toward meeting the objectives expressed in the President's message on natural resources (H. Doc. No. 94, 87th Cong.), and the recommendations of the Outdoor Recreation Resources Review Commission.

PUBLIC DOMAIN ROAD FINANCING

As under existing law, all of the appropriations for roads in the public domain authorized by H.R. 12135 will be made from the general funds of the Treasury. Funds authorized for these roads are available for contract upon apportionment, or a date not earlier than 1 year preceding the beginning of the fiscal year for which authorized if no apportionment is required.

THE RAMA ROAD

The Rama Road is being constructed by the United States in lieu of the once-proposed canal across Nicaragua. It extends from San Benito, on the Inter-American Highway 22 miles north of Managua, 155 miles east to Rama, a river port on the Escondido River which flows into the Caribbean near Bluefields and El Bluff. It will connect the major population area of the country on the Pacific coast with an inland deepwater port on the Atlantic coast, provide access from ocean to ocean, and open to development a large fertile area in the eastern part of Nicaragua. The importance of this road is not only economic but also political, as it unites two sections of the country which have heretofore been completely separated, except by air transport or small-boat traffic.

The Rama Road is complete and open to travel at all seasons of the year from San Benito to Los Tanques Creek beyond Muelle de los Bueyes on the west bank of Rio Mico, a distance of about 136 miles. A contract for grading, drainage, and subbase of the section from Los Tanques Creek to the Siquia River, 14 miles and six bridges, is underway. This will complete the road to Rio Siquia, about 5 miles from Rama. The Siquia River bridge will be about 1,600 feet long and cost about \$1 million. The estimated cost of completing the road to Rama, including the bridge across Rio Siquia and two other bridges, and 5 miles of highway is \$2,350,000, which was requested in the budget for fiscal year 1963. There is a deficit of \$850,000 in authorization.

The Rama Road is paved for a distance of about 10 miles from its junction with the Inter-American Highway at San Benito, and 17 miles in the vicinity of the Continental Divide near Villa Somoza. The United States is committed to constructing the Rama Road only to an all-weather gravel surface. The 27 miles already paved was done by the Government of Nicaragua, which contemplates paving the remainder of the road. Nicaragua has expended approximately \$4.8 million of its funds on the road.

Significant economic development has taken place along the Rama Road during the past 7 years, and is continuing at a rapid pace. Large areas adjacent to the road have been cleared, placed in cultivation, and homes and churches constructed, and a permanent population settled. Schools, villages, service stations, and ranches have been established, and promising cattle, coffee, mining, and other industries

developed. Augmented truck and bus traffic has resulted in increased imports of U.S. vehicles, parts, petroleum and allied products. Development of a port at Rama will facilitate shipping and lower the cost of Nicaraguan imports and exports. Only a small amount of dredging near the mouth of the Escondido River will permit oceangoing vessels to proceed upstream to Rama.

The committee believes that prompt completion of the Rama Road will assist greatly in the economic development of Nicaragua, and influence the faith and confidence that Nicaragua and the other countries in Latin America have in U.S. commitments. It realizes that the general increasing trend in prices and the more difficult construction problems encountered in the dense rain forests toward the Atlantic coast of Nicaragua have contributed to exceeding the basic cost made several years ago for completion of the road. The committee recommends an additional authorization for appropriation of \$850,000 to complete the Rama Road in accordance with our agreement with Nicaragua, and for protection and realization of the full value of our \$14.5 million investment in this important road linking the Inter-American Highway and the east coast river port of Rama.

THE INTER-AMERICAN HIGHWAY

The Inter-American Highway is that portion of the Pan-American Highway extending from Laredo, Tex., to Panama City, the Pacific terminal of the Panama Canal, a total distance of about 3,142 miles of which 1,587 miles are in Mexico. The Government of Mexico has completed the Mexican section without assistance from the United States.

Funds were made available by the Congress for initial construction on the Inter-American Highway in 1934. The Federal-Aid Highway Acts of 1950, 1952, and 1954 authorized a total of \$40 million for work on the highway, but until the end of fiscal year 1955, the appropriation of funds had not kept pace with the authorizations and the work on the highway from 1951 to 1955 was limited by a lack of funds and lack of assurance that continuing funds would be made available.

In June and July of 1955, the U.S. Congress appropriated \$62,980,000 to expedite completion of the highway, and authorized an additional \$12 million, which was appropriated in June 1957. An additional \$10 million was appropriated in August 1958, making a total of \$84,980,000 appropriated since 1955, the entire amount authorized. The total authorizations and appropriations made by the U.S. Congress for the Inter-American Highway are \$138,703,000, practically all of which has been obligated.

It was the original conception that the United States would contribute two-thirds of the cost of construction of the Inter-American Highway. The later authorizing acts provided, however, that a portion of the funds appropriated, generally not to exceed one-third, may be expended without requiring the country or countries in which such sums were expended to match such portion, if the Secretary of State found that the cost of constructing the highway in said country or countries would be beyond their reasonable capacity to bear. The total amount of funds expended or committed by the Central American Republics and Panama on construction of the Inter-American Highway has been about \$82 million.

Some work has been done on the entire 1,555 miles south of the Mexican border. At the present time, 1,133 miles have been paved. There will then remain 422 miles to be paved, of which 360 miles now have an all-weather gravel surface. The entire highway will be open and passable at all times upon completion of construction of bridges on the 133-mile section in Costa Rica from San Isidro to the Panama border, which now has an all-weather gravel surface. A 62-mile impassable section in Panama is on a cutoff, and can be bypassed on the existing paved Panama National Highway, which pavement is substandard, on crooked alinement, but passable at all times.

To realize the potential benefits of the Inter-American Highway and protect the investment the United States has made therein, it is believed essential that a program for its early completion be adopted. Representatives of the Bureau of Public Roads have estimated that the present cost of completing the highway to standards contemplated under the authorizing acts will require an additional amount of \$32 million U.S. funds. The matching funds for the Central American countries would provide \$16 million, or a total of about \$48 million to complete the highway. The countries have indicated that they can provide the necessary matching funds.

The remaining work to be done includes completion of paving in Guatemala, Nicaragua, Costa Rica, and Panama; widening of substandard sections; improvement of drainage; heavy retaining wall and revetment work through the unstable mountainous terrain of Guatemala and Costa Rica; repaving short sections where former light paving has failed; and completion of the grading, drainage, base, bridges, and paving of the Guabala-Santiago Cutoff in Panama. After the conclusion of this work, the responsibility of the United States for completion of the Inter-American Highway will be terminated.

The Bureau of Public Roads, U.S. Department of Commerce, has been assigned the mission to initiate, direct, and supervise the administrative and technical activities required for the survey, design, and construction of the Inter-American Highway, and to furnish administrative and technical advice and consulting service covering the full scope of highway finance, surveys, design, construction, and maintenance, to the highway departments of the various Republics, and to assist them in establishing such highway departments. These highway departments are gradually taking over the functions of design, award of contracts, and supervision of construction and maintenance, just as the highway departments in the States perform. To suspend work on the Inter-American Highway at this time will necessitate disbanding and demobilizing the engineering organization of the Bureau of Public Roads and certain contracting firms in Central America, and leave the Republics without adequate organizations to assume the necessary operations in connection with the highway. Resumption of work at any time would require mobilizing again and would increase the cost of future work.

The committee has been concerned with the increase in the cost of completion of the Inter-American Highway. Several times in the past, officials of the Bureau of Public Roads have appeared before the committee to justify requests for authorization for additional funds for completion of the highway on the basis of their estimates of cost of completion at that time. During inspection of the highway at various times by members of the committee they were very much

impressed with the work that has been completed, and had opportunities to observe the heavy cuts and fills on completed sections, the rough terrain through which many miles of the road pass, the remote and isolated areas, and the tremendous costs involved in construction of this highway. It is realized that some construction funds have been used for removal of slides and rebuilding sections after completion, but before turning them over to the country for maintenance. Resurfacing a few gaps will also be necessary where the original light surfacing has failed due to heavy traffic not anticipated at the time the surface was applied.

The committee believes that we have now reached a point where it is very easy to see the completion of this most important highway artery, and that its cost of completion can be estimated rather accurately. It is hoped that the estimates presented at this time as to the amounts needed to complete the Inter-American Highway will be more accurate than those presented in the past.

The committee has also been concerned with the problem of adequate maintenance of the highway after its completion. The agreements executed between the United States and each country with respect to construction of the Inter-American Highway provide that such countries will maintain the highway to satisfactory standards at their own expense. It has been found that the heavy cost of maintenance has exceeded that anticipated, and some of the countries have met with difficulties in financing proper maintenance of the highway. Personnel of the Bureau of Public Roads have been providing technical assistance to the highway departments of the various Republics in maintenance matters, and the highway departments of some Republics are gradually assuming more of the maintenance. It is realized that full maintenance cannot be assumed by each Republic until the entire highway is completed in such country.

Various Republics and the International Road Federation have advocated the establishment of an Inter-American Highway Authority to maintain the highway after its completion. The estimated cost for operations of such an authority for the first 5 years is \$16 million. Several of the countries have indicated that this initial investment is beyond their economic capabilities and have requested financial participation by the United States, in at least the first 5 years of such a plan. This arrangement could be considered as a part of the overall U.S. foreign aid development program. It is understood that the U.S. Coordinator for the Alliance for Progress has advised that such a proposal to help finance and encourage the formation of an Inter-American Highway Authority is in accord with the planning operations of that agency in this area. However, it was indicated that such participation by the United States might be in the form of a multilateral loan to the Central American countries.

The committee is of the opinion that provisions for positive assurances of adequate maintenance of the completed highway should be included in the authorization for additional funds, in order to protect the large U.S. investment therein. With the anticipated traffic over the highway, it will deteriorate rapidly unless properly maintained. Participation by the United States of 50 percent of the financial cost of a maintenance authority for the first 5 years, or \$8 million, is not considered excessive, in view of the large benefits that will be realized. The remaining 50 percent would be borne by each of the Central

American Republics in proportion to its share of the highway mileage. Such participation for a 5-year period is believed advisable to give the large cuts and fills in the mountainous and rugged areas time to settle and stabilize, after which period the costs of maintenance should decrease materially, and the highway departments of the Republics should be adequately organized and trained to take care of the proper maintenance of the highway at that time.

The early completion of the Inter-American Highway to a hard-surfaced and serviceable road linking the United States and the countries through which it passes and extending to the Panama Canal Zone has long been an established objective of U.S. policy. Its completion is of great importance for the economic and political development and stabilization of the entire Central American region, and for the enhancement of, and the relations between, the United States and Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, and Panama. Its completion would intensify its use throughout, reduce the isolation from each other of the peoples along it, and contribute toward greater unity among the isthmian Republics, thus reducing much local political turbulence and advance the region toward the condition of political stability which is so essential for its accelerated progress in the economic and social fields. Increased contact between the United States and the countries traversed by the highway through tourism, commercial travel, and transport should result in a variety of mutual benefits, which would strengthen our relations with those countries as they move forward under the Alliance for Progress.

The Inter-American Highway forms the backbone of the local highway systems in all the Republics. They are all making rapid strides in development of feeder roads connecting with the highway, and in construction of other roads into remote and isolated areas, which opens such areas for development and transportation of their products to market.

The Panama Canal is now crossed by a lock-level bridge immediately below the Miraflores locks, or by a ferry at the new bridge site near the Pacific entrance. The new \$25 million bridge is under construction and will be completed later this year. Completion of this bridge will eliminate delays to traffic from use of the ferry, and from the opening of the bridge at Miraflores locks as ships transit the canal. This new bridge is on the Inter-American Highway, and it appears that its completion will be in advance of completion of the highway. Surveys are underway for extension of the Pan-American Highway through the Darien Gap between Panama and Colombia, thus completing the last remaining gap connecting the Pan-American Highway systems in North and South America.

The committee recommends authorization of an additional amount of \$32 million for completion of the Inter-American Highway, with a provision that no part of such sum shall be obligated in any country until that country demonstrates, to the satisfaction of the Secretary, that it is capable of and willing to meet its commitment for maintenance under the agreements previously entered into pursuant to section 212(a)(5), title 23, United States Code. Contract authority for immediate use of the funds, upon compliance with the commitment for maintenance, is included.

The committee was advised that the funds necessary to complete the highway would be allocated to the various Republics in the following approximate amounts:

Country:	<i>Estimated cost to complete</i>
Guatemala.....	\$8, 210, 000
Nicaragua.....	970, 000
Costa Rica.....	13, 784, 000
Panama.....	7, 248, 000
U.S. engineering and administration.....	1, 788, 000
Total.....	32, 000, 000

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

Section 5 of H.R. 12135 adds a new section to title 23, United States Code, section 133, entitled "Relocation Assistance."

This section provides that before the Secretary of Commerce may approve a project for the acquisition of right-of-way or actual construction, he will require the State highway department to give satisfactory assurance that relocation advisory assistance will be provided for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway. It also requires the Secretary to approve as part of the cost of construction of a project on any of the Federal-aid systems, such relocation payments as may have been made by a State highway department, or its designated agent, to displaced individuals, families, business concerns (including operation of a farm), and nonprofit organizations, for their reasonable and necessary moving expenses. The provisions apply to projects approved after the date of enactment of this section.

It is left to each State to determine whether or not it desires to make relocation payments, and such payments will not be required by any State where not authorized by State law. However, where a State highway department, or local public agency acting as its agent for the purpose, makes relocation payments to eligible persons, Federal-aid participation will be permitted subject to rules and regulations prescribed by the Secretary.

In the case of an individual or family, so much of the relocation payment as does not exceed \$200 shall be eligible for Federal-aid participation, although the Secretary may authorize the payment of fixed amounts within the ceiling in lieu of actual reasonable and necessary moving expenses (i.e., so much per room, etc.).

In the case of a business concern (including the operation of a farm) or a nonprofit organization, so much of the relocation payment as does not exceed \$3,000 shall be eligible for Federal-aid participation, and the allowable expenses for transportation may not exceed the cost of moving 50 miles.

The provisions of this section will not prevent a State from making larger payments, without Federal-aid participation, in any portion of a payment exceeding the prescribed limits.

The committee has given careful consideration to the matter of relocation assistance for persons displaced by Federal-aid highway construction. It is in general agreement with the recommendations of the President in 1961 in his message to Congress on the Federal-

aid highway program, and his message of April 5, 1962, relative to the transportation system of the Nation, when he said:

Last year in a message to the Congress on the Federal-aid highway program, I called attention to the problems of families displaced by new highway construction and proposed that the Federal highway law be amended to require assistance to such families in finding decent housing at reasonable cost. The need for such assistance to alleviate unnecessary hardship is still urgent. The Secretary of Commerce has estimated that, under the interstate highway program alone, 15,000 families and 1,500 businesses are being displaced each year, and the proposed urban mass transportation program will further increase the number of persons affected.

To move toward equity among the various federally assisted programs causing displacement, I recommend that assistance and requirements similar to those now applicable to the urban renewal program be authorized for the Federal-aid highway program and the urban mass transportation program.

In a recent letter expressing appreciation to the Housing and Home Finance Administrator and the Secretary of Commerce for their "Joint Report on Urban Transportation," the President said:

I noted particularly that you concerned yourselves with the human as well as the technical and financial considerations involved. Many thousands of our citizens, as your report states, must unavoidably surrender their homes and places of business to make way for public transportation improvements. We should not expect them to suffer the heavy personal cost of such public benefits without due recompense and assistance. Where public necessity imposes such sacrifices, it should be accompanied by public concern for the people displaced.

The committee believes that right-of-way acquisition should be scheduled well in advance of its clearance so that wherever possible persons to be displaced will be in a position to find suitable accommodations on their own initiative. Congress has already specifically authorized payment of removal expenses in connection with programs of the Defense and Interior Departments, and the Urban Renewal Administration of the Housing and Home Finance Agency. Since 1956, one of the costs of construction of a highway project to which the Federal Government has contributed has been the cost of relocation of public utility facilities occupying public rights-of-way. The extension of the principle of the payment of costs of relocation to human beings displaced is believed fair and justifiable.

The committee considered the requirement that the State highway department give satisfactory assurance that there exists one or more feasible methods for the relocation of displaced families. It was believed that this requirement would place an unnecessary burden on the State highway department, particularly prior to approval of the project for right-of-way acquisition.

The committee is aware that certain States have enacted legislation requiring some form of relocation assistance, payable to businesses as

well as residents. Other States which have no specific statutes on such assistance make payment for moving or related costs under varying conditions as a result of jury awards, constitutional interpretation, or administrative action of the State highway department. This relocation assistance is believed to be a logical extension of the right-of-way acquisition program. Property owners are compensated for property actually taken for highway right-of-way purposes, but they must vacate their property and move at their own expense. Much of the land needed for rights-of-way is occupied by families and businesses who rent or lease, and must bear the expense involved in moving to accommodate a public improvement. These tenants are the ones who suffer a real hardship and bear a serious financial burden. The committee believes that many of the potential losses can be minimized or eliminated by a workable program of relocation assistance.

The estimated cost of the relocation assistance program was stated at from \$75 million to \$200 million. The committee was concerned over the impact of such a program on the highway trust fund, but believes it to be a proper charge against that fund.

The committee believes that most States, cities, counties, or other political subdivisions have agencies qualified to provide the necessary relocation advisory assistance for families displaced from highway rights-of-way, or will establish such agency. Representatives of Federal housing and other agencies are also available to furnish assistance to such agencies. The committee expects full cooperation and coordination between one or more governmental agencies, Federal, State, and local; and any other local agency designated to furnish the assistance authorized by this section, in order that there be no undue delay in the progress of the highway program.

FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN AREAS

In his message on transportation, the President recommended—

That the Federal-aid highway law be amended to permit more extensive use of Federal-aid secondary funds for extensions of the secondary system in urban areas.

Section 6 of the bill amends section 103 of title 23, United States Code, to remove the limitation now existing in that section which requires that only urban funds may be used for certain extensions of the secondary system within urban areas. Under the amendment, a State may use Federal-aid secondary funds apportioned to it on extensions of that system which pass through an urban area or connect with another Federal-aid system within such area. This provision would permit increased flexibility in financing improvements on Federal-aid secondary routes within urban areas, and promote a system of improvements in such areas, particularly in those areas having important feeder routes on the secondary system within their boundaries.

The committee was advised that certain States are finding it increasingly difficult to improve the extensions of the Federal-aid secondary system into urban areas because of the small amount of urban funds available and the higher priority for the use of such funds for arterial street improvement in these urban areas. This creates a hardship

in the outlying sections of the larger urban areas where there is rapid suburban expansion, and in smaller cities where the urban extensions of secondary routes do not carry a sufficiently large volume of traffic to merit high priority on available urban funds. As a result, in many cases secondary routes are improved up to the urban limits, and urban funds are not available for their improvement within the city. This was one of the conditions that led to the establishment of the urban system in 1944.

It is believed that this amendment will be very helpful in States that contain many individual and grouped urban areas, and where the transfer of funds from primary or secondary apportionments to the class of urban funds for the purpose of improving extensions of secondary routes within urban areas has not been adequate under the provisions of section 104(c) of title 23, United States Code, which permits a 20 percent interchange of funds between the A-B-C apportionments, under certain conditions.

The committee was concerned about the amount of Federal-aid secondary funds that might be diverted from rural areas to urban areas as a result of this amendment. It is realized that this amount would vary from State to State, and such amounts so utilized would be at the request of the State highway department, with the approval of the Bureau of Public Roads. The proposed amendment does not alter the existing condition relative to the designation of the extension of the secondary system passing through the urban area or connect with another Federal-aid system within the urban area. The Federal-aid secondary system consists of the farm-to-market roads, and to permit its full utilization should extend to or by the market areas in the cities. The committee hopes that the designation of the extensions of the secondary system will be coordinated with the designation of urban routes, and construction work will be so programed, that complete highway routes and service will be provided to permit the farmers to transport their produce to markets and distribution centers.

TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

Section 7 of the bill amends title 23, United States Code, to add a new section declaring that the encouragement and promotion of development of transportation systems embracing various modes of transport, in a manner that will serve the States and local communities efficiently and effectively, are in the national interest. The Secretary of Commerce is directed to cooperate with the States in the development of long-range highway plans and programs coordinated with plans for improvements of other affected forms of transportation. This provision is applicable to urban areas of more than 50,000 population. The Secretary of Commerce shall not approve any program after July 1, 1965, for projects in any urban areas of more than 50,000 population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and localities.

The committee is very much aware of the transportation problems of urban areas particularly as they relate to highways and feels that the Federal-aid highway legislation should contain a provision designating the Secretary of Commerce as the individual responsible for assuring that highway plans and programs in larger urban areas will

be coordinated with plans for improvement in other affected forms of transportation.

This section would encourage transportation planning and improve the quality of urban planning generally. It would not delay the current Federal-aid highway program, inasmuch as reasonable time would be allowed for the States and local communities to establish the continuing planning process that would be required.

The committee recognizes that transportation planning is almost invariably a continuing process; hence, this section has been drawn in such way as to make it clear that a completed comprehensive plan, as such, is not necessary to meet its requirements. The Secretary may make the required finding, therefore, based on a continuing transportation planning process which conforms with the stated objectives of this section.

The cooperative working arrangements undertaken by the Bureau of Public Roads of the Department of Commerce with the State highway departments in the area of transportation planning will permit the Federal guidance and leadership necessary to achieve the objective of sound and uniform transportation planning in these urban areas without delaying the highway program.

RURAL DELIVERY AND STAR ROUTE MILEAGE

Existing law provides that Federal-aid primary and secondary funds be apportioned partially on the basis of the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery and star routes in all the States at the close of the next preceding fiscal year, as shown by a certificate of the Postmaster General which he is directed to make and furnish annually to the Secretary of Commerce.

Federal-aid highway funds are normally apportioned during the midsummer or early fall for the next following fiscal year, but are required to be made on or before January 1 next preceding the beginning of the fiscal year for which authorized. For example, the apportionment of fiscal year 1963 funds for the A-B-C program was made on October 10, 1961, and the latest date such apportionment could have been made was January 1, 1962. This leaves a maximum of 6 months between the controlling date for mileage statistics and the date apportionments are made. Considerable difficulty has been experienced in obtaining the required mileage data for use in making these apportionments, particularly when Federal-aid highway funds are apportioned during midsummer, as is most frequently the case.

Section 8 of H.R. 12135 amends section 104 of title 23, United States Code, to provide that the Postmaster General shall certify the mileage of rural delivery and star routes in each State for the purposes of determining apportionments for the Federal-aid primary and secondary systems on a calendar year rather than a fiscal year basis, that is as of a date 6 months earlier than is now provided. The committee believes that this provision would facilitate apportionment of Federal-aid primary and secondary funds computed on mileage data obtained reasonably in advance of such apportionment, without affecting the basis on which such funds are apportioned. The provisions of this section would be applicable only with respect to apportionments made after the date of enactment of the act.

HIGHWAY PLANNING AND RESEARCH FUNDS

Section 307 of title 23, United States Code, is amended by section 11 of H.R. 12135, to require that the 1½ percent of apportioned Federal-aid A-B-C and interstate funds which the States may now use for highway planning and research shall be used only for these purposes commencing with the apportionment for the fiscal year 1964. In addition, a State, if it so desires, may use an additional one-half of 1 percent of its A-B-C apportionment for highway research purposes. All amounts available and used for highway planning and research purposes would be required to be matched by the States unless the Secretary of Commerce determines that the interest of the Federal-aid highway program would be best served without matching.

The existing law with respect to 1½ percent of the apportionments now available to the State for highway planning and research will continue to apply to funds apportioned for fiscal years prior to the fiscal year 1964, but unobligated at this time.

Under section 11 any of the 1½ percent funds, beginning with the apportionment for the fiscal year 1964, not used for highway planning and research within the usual period of availability, would lapse. The committee feels that highway planning and research activities conducted directly by the Secretary of Commerce should be expanded in proportion to the increased highway planning and research activities by the State highway departments and should be financed from sums made available to him for administration and research under section 104(a) of title 23, United States Code, under the normal budgetary processes which have been followed in the past. Under this provision, the existing method of financing such activities at the Federal level would be continued.

The additional one-half of 1 percent, if not used for highway research purposes, would not be available for use for construction purposes, and would be subject to the usual lapse provisions of section 118 of title 23, United States Code.

The committee believes this provision is necessary in order to stimulate additional needed highway research activities in the Federal-State cooperative area. Testimony has been received as to the need for increased highway research activities, and it is felt that this provision of the bill meets this need by expanding the dollar volume of highway research activities undertaken by or through the State highway departments with the aid of Federal funds.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This act may be cited as the "Federal-Aid Highway Act of 1962."

Section 2. Authorizations

This section provides for authorizations for projects on the Federal-aid primary system, the Federal-aid secondary system, extension of these systems within urban areas, and for miscellaneous roads on Federal lands. Authorizations for the regular Federal-aid highway systems are \$950 million for the fiscal year ending June 30, 1964, and a like amount for the fiscal year ending June 30, 1965.

The following sums would be authorized by H.R. 12135 for the fiscal years 1963, 1964, and 1965 for the regular Federal-aid systems and the Federal domain roads:

[Millions of dollars]

Classification	Fiscal years		
	1963	1964	1965
Federal-aid systems:			
Primary.....		427. 50	427. 50
Secondary.....		285. 00	285. 00
Urban.....		237. 50	237. 50
Subtotal.....		950. 00	950. 00
Forest highways.....		33. 00	33. 00
Forest development roads and trails.....	20	70. 00	85. 00
Public land development roads and trails.....		2. 00	4. 00
Park roads and trails.....		22. 00	25. 00
Parkways.....		16. 55	16. 00
Indian reservation roads.....		16. 00	18. 00
Public lands highways.....	6	9. 00	9. 00
Rama Road.....		. 85	
Inter-American Highway.....		32. 00	
Total.....	26	1, 151. 40	1, 140. 00

Section 3. Rama Road

This section authorizes the additional sum of \$850,000 for completion of the Rama Road in Nicaragua, to be expended under the conditions set forth in section 213 of title 23, United States Code, and grants contract authority for immediate use of these funds.

Section 4. Inter-American Highway

This section authorizes the appropriation of the additional sum of \$32 million for completion of the Inter-American Highway through Central America to Panama City on the Panama Canal, to be expended in accordance with the provisions of section 212 of title 23, United States Code. No part of this authorization shall be obligated in any country until that country demonstrates to the satisfaction of the Secretary that it is capable of and willing to meet its commitment for maintenance under the agreements previously entered into pursuant to section 212(a)(5) of title 23, United States Code. The funds authorized would be available for immediate contract upon passage of this act and compliance with the commitments for maintenance.

Section 5. Assistance for displaced families and businesses

This section adds a new section to title 23, United States Code, section 133, entitled "Relocation Assistance." It defines as an "eligible person" any individual, family, business concern (including the operation of a farm), and nonprofit organization to be displaced by construction of a Federal-aid highway project.

State highway departments would be required by the Secretary, prior to his approval of any project for right-of-way acquisition or actual construction, to give satisfactory assurance that relocation advisory assistance shall be provided for the relocation of families displaced by acquisition or clearance of rights-of-way of any Federal-aid highway project.

Relocation payments made by a State or its designated agent to eligible persons for their reasonable and necessary moving expenses caused by their displacement would be approved by the Secretary as

a part of the cost of construction of a project. A State would not be required to make such relocation payments unless authorized by State law. Such payments would be subject to rules and regulations to be prescribed by the Secretary and would not exceed \$200 in the case of an individual or family, or \$3,000 in the case of a business concern or nonprofit organization. In the latter case, allowable expenses for transportation would not exceed the cost of moving 50 miles from the point of displacement. The Secretary may authorize reimbursement of fixed amounts for relocation payments to families or individuals within the \$200 ceiling in lieu of reasonable and necessary moving expenses. This new section 133 would apply only to projects approved under section 106 of title 23 of the United States Code after the date of enactment of said section 133.

Section 6. Public lands development roads and trails

This section amends section 101 of title 23, United States Code, to add the definition of the term "public lands development roads and trails." It also adds a new section numbered 214, to establish a new category of public lands development roads and trails for the development, protection, administration, and utilization of lands and resources administered by the Bureau of Land Management of the Department of the Interior. Available funds would be used to pay the cost of construction and improvement of such roads and trails, and could be used for vehicular parking areas and for sanitary, water, and fire control facilities. Location, design, and construction of this class of roads would be under the general supervision of the Secretary.

Section 7. Availability of funds—other highways

This section consists of technical amendments required by the new program of public land development roads and trails established by section 6 of this bill, including contract authorization for funds as for other types of roads on the Federal domain.

Section 8. Federal-aid secondary highway system—Urban areas

This section amends section 103, title 23, United States Code, to permit the use of Federal-aid secondary funds in urban areas on extensions of the Federal-aid secondary system which pass through the urban area, or connect with another Federal-aid system within the urban area. The limitation in existing law requiring the use of urban funds for certain secondary system extensions in urban areas would be removed. Provisions of this section would be applicable to unexpended prior apportionments as well as those made after this enactment.

Section 9. Transportation planning in certain urban areas

This section amends title 23 of the United States Code to add a new section 134. This section declares it to be in the national interest to encourage and promote the development of transportation systems embracing various modes of transport, in a manner that will serve the States and local communities efficiently and effectively.

The Secretary would be directed to cooperate with the States in the development of long-range highway plans and programs, coordinated with plans for improvements in other affected forms of transportation, which are formulated with consideration to their probable effect on the future development of urban areas of more than 50,000 population. The Secretary shall not approve any program

after July 1, 1965, for projects in any such urban area unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives of this section.

Section 10. Rural delivery and star route mileage

This section amends section 104 of title 23, United States Code, to provide that the Postmaster General shall certify rural delivery and star route mileage in each State for purposes of determining apportionments for the Federal-aid primary and secondary systems on a calendar rather than a fiscal year basis. This amendment would assure that more up-to-date mileage data is available 6 months earlier than at present for use in making the apportionment of Federal-aid funds to the States, and would apply only to apportionments made after the date of enactment of this act.

Section 11. Highway planning and research funds

This section amends section 307, title 23, United States Code, to provide that the existing law with respect to the 1½ percent of the apportionments now available to the States for highway planning and research purposes will continue unchanged until the apportionments for the fiscal year 1964.

Beginning with the apportionment for the fiscal year 1964, 1½ percent of a State's total apportionment can be used for highway planning and research purposes.

Beginning with the apportionment for the fiscal year 1964, if requested by a State highway department, it can use an additional one-half of 1 percent of its A-B-C apportionment for highway research purposes only.

All amounts available for highway planning and research purposes would be matched by the States unless the Secretary determines that the interests of the Federal-aid highway program would be best served without matching.

With respect to the apportionments for fiscal years beginning with 1964, the 1½ percent available to the States for highway planning and research purposes which is not used for those purposes within the usual period of availability will lapse as provided under section 118, title 23, United States Code. The additional one-half of 1 percent if not used for highway research purposes would be subject to the usual lapse provisions of said section 118.

Section 12. Definitions

This section relates the definitions found in section 101, title 23, United States Code, to certain terms used in section 2 of this act.

The following is a list of the names of the members of the American Medical Association who have been elected to the office of President of the Association for the year 1917.

The President of the Association for the year 1917 is Dr. J. C. Brainerd, of Chicago, Ill.

The Vice-Presidents of the Association for the year 1917 are Dr. J. H. Hays, of New York, N. Y., and Dr. J. H. Hays, of New York, N. Y.

The Secretary of the Association for the year 1917 is Dr. J. H. Hays, of New York, N. Y.

The Treasurer of the Association for the year 1917 is Dr. J. H. Hays, of New York, N. Y.

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The Treasurer of the Association for the year 1917 is Dr. J. H. Hays, of New York, N. Y.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman) :

TITLE 23 OF THE UNITED STATES CODE**TITLE 23—HIGHWAYS**

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CHAPTER 1—FEDERAL-AID HIGHWAYS

Sec.

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§101. Definitions and declaration of policy

(a) As used in this title, unless the context requires otherwise—

The term "apportionment" in accordance with section 104 of this title includes unexpended apportionments made under prior acts.

¹ Sec. 119 repealed (Public Law 86-70).

The term "construction" means the supervising, inspecting, actual building, and all expenses incidental to the construction or reconstruction of a highway, including locating, surveying, and mapping (including the establishment of temporary and permanent geodetic markers in accordance with specifications of the Coast and Geodetic Survey in the Department of Commerce), costs of rights-of-way, and elimination of hazards of railway-grade crossings.

The term "county" includes corresponding units of government under any other name in States which do not have county organizations, and likewise in those States in which the county government does not have jurisdiction over highways it may be construed to mean any local government unit vested with jurisdiction over local highways.

The term "forest road or trail" means a road or trail wholly or partly within or adjacent to and serving the national forests.

The term "forest development roads and trails" means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forests, or where necessary, for the use and development of the resources upon which communities within or adjacent to the national forests are dependent.

The term "forest highway" means a forest road which is of primary importance to the States, counties, or communities within, adjoining, or adjacent to the national forests.

The term "highway" includes roads, streets, and parkways, and also includes rights-of-way, bridges, railroad-highway crossings, tunnels, drainage structures, signs, guardrails, and protective structures, in connection with highways. It further includes that portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State highway department including such facilities as may be required by the United States Customs and Immigration Services in connection with the operation of an international bridge or tunnel.

The term "Federal-aid highways" means highways located on one of the Federal-aid systems described in section 103 of this title.

The term "Indian reservation roads and bridges" means roads and bridges that are located within an Indian reservation or that provide access to an Indian reservation or Indian land, and that are jointly designated by the Secretary of the Interior and the Secretary as a part of the Indian Bureau road system.

The term "maintenance" means the preservation of the entire highway, including surface, shoulders, roadsides, structures, and such traffic-control devices as are necessary for its safe and efficient utilization.

The term "park roads and trails" means those roads or trails, including the necessary bridges, located in national parks or monuments, now or hereafter established, or in other areas administered by the National Park Service of the Department of the Interior (excluding parkways authorized by Acts of Congress) and also including approach roads to national parks or monuments authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended.

The term "parkway" as used in chapter 2 of this title, means a parkway authorized by an Act of Congress on lands to which title is vested in the United States.

The term "project" means an undertaking to construct a particular portion of a highway, or if the context so implies, the particular portion of a highway so constructed.

The term "project agreement" means the formal instrument to be executed by the State highway department and the Secretary as required by the provisions of subsection (a) of section 110 of this title.

The term "public lands development roads and trails" means those roads or trails which the Secretary of the Interior determines are of primary importance for the development, protection, administration, and utilization of public lands and resources under his control.

The term "public lands highways" means main highways through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations.

The term "rural areas" means all areas of a State not included in urban areas.

The term "Secretary" means Secretary of Commerce.

The term "State" means any one of the fifty States, the District of Columbia, or Puerto Rico.

The term "State funds" includes funds raised under the authority of the State or any political or other subdivision thereof, and made available for expenditure under the direct control of the State highway department.

The term "State highway department" means that department, commission, board, or official of any State charged by its laws with the responsibility for highway construction.

The term "Federal-aid system" means any one of the Federal-aid highway systems described in section 103 of this title.

The term "Federal-aid primary system" means the Federal-aid highway system described in subsection (b) of section 103 of this title.

The term "Federal-aid secondary system" means the Federal-aid highway system described in subsection (c) of section 103 of this title.

The term "Interstate System" means the National System of Interstate and Defense Highways described in subsection (d) of section 103 of this title.

The term "urban area" means an area including and adjacent to a municipality or other urban place having a population of five thousand or more, as determined by the latest available Federal census, within boundaries to be fixed by a State highway department subject to the approval of the Secretary.

(b) It is hereby declared to be in the national interest to accelerate the construction of the Federal-aid highway systems, including the National System of Interstate and Defense Highways, since many of such highways, or portions thereof, are in fact inadequate to meet the needs of local and interstate commerce, for the national and civil defense.

It is hereby declared that the prompt and early completion of the National System of Interstate and Defense Highways so named because of its primary importance to the national defense and hereafter referred to as the "Interstate System", is essential to the national interest and is one of the most important objectives of this Act. It is the intent of Congress that the Interstate System be completed as nearly as practicable over the period of availability of the thirteen years' appropriations authorized for the purpose of expediting its construction, reconstruction, or improvement, inclusive of necessary tunnels and bridges, through the fiscal year ending June 30, 1969, under

section 108(b) of the Federal-Aid Highway Act of 1956 (70 Stat. 374), and that the entire System in all States be brought to simultaneous completion. Insofar as possible in consonance with this objective, existing highways located on an interstate route shall be used to the extent that such use is practicable, suitable, and feasible, it being the intent that local needs, to the extent practicable, suitable, and feasible, shall be given equal consideration with the needs of interstate commerce.

§ 102. Authorizations

The provisions of this title apply to all unappropriated authorizations contained in prior Acts, and also to all unexpended appropriations heretofore made, providing for the expenditure of Federal funds upon the Federal-aid systems. All such authorizations and appropriations shall continue in full force and effect, but hereafter obligations entered into and expenditures made pursuant thereto shall be subject to the provisions of this title.

§ 103. Federal-aid systems

(a) For the purposes of this title, the three Federal-aid systems, the primary and secondary systems, and the Interstate System, are continued pursuant to the provisions of this section.

(b) The Federal-aid primary system shall consist of an adequate system of connected main highways, selected or designated by each State through its State highway department, subject to the approval of the Secretary as provided by subsection (e) of this section. This system shall not exceed 7 per centum of the total highway mileage of such State, exclusive of mileage within national forests, Indian, or other Federal reservations and within urban areas, as shown by the records of the State highway department on November 9, 1921. Whenever provision has been made by any State for the completion and maintenance of 90 per centum of its Federal-aid primary system, as originally designated, said State through its State highway department by and with the approval of the Secretary is authorized to increase the mileage of its Federal-aid primary system by additional mileage equal to not more than 1 per centum of the total mileage of said State as shown by the records on November 9, 1921. Thereafter, it may make like 1 per centum increases in the mileage of its Federal-aid primary system whenever provision has been made for the completion and maintenance of 90 per centum of the entire system, including the additional mileage previously authorized. This system may be located both in rural and urban areas. The mileage limitations in this paragraph shall not apply to the District of Columbia, Hawaii, Alaska, or Puerto Rico.

(c) The Federal-aid secondary system shall be selected by the State highway departments and the appropriate local road officials in cooperation with each other, subject to approval by the Secretary as provided in subsection (e) of this section. In making such selections, farm-to-market roads, rural mail routes, public school bus routes, local rural roads, county roads, township roads, and roads of the county road class may be included, so long as they are not on the Federal-aid primary system or the Interstate System. [This system shall be confined to rural areas, except (1) that in any State having a population density of more than two hundred per square mile as shown by the latest available Federal census, the system may include mileage in urban areas as well as rural, and (2) that the system may be extended

into urban areas subject to the conditions that any such extension passes through the urban area or connects with another Federal-aid system within the urban area, and that Federal participation in projects on such extensions is limited to urban funds.】 *This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area.*

(d) The Interstate System shall be designated within the United States, including the District of Columbia, and it shall not exceed forty-one thousand miles in total extent. It shall be so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve the national defense and to the greatest extent possible, to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico. The routes of this system, to the greatest extent possible, shall be selected by joint action of the State highway departments of each State and the adjoining States, subject to the approval by the Secretary as provided in subsection (e) of this section. All highways or routes included in the Interstate System as finally approved, if not already coincident with the primary system, shall be added to said system without regard to the mileage limitation set forth in subsection (b) of this section. This system may be located both in rural and urban areas.

(e) The Secretary shall have authority to approve in whole or in part the Federal-aid primary system, the Federal-aid secondary system, and the Interstate System, as and when such systems or portions thereof are designated, or to require modifications or revisions thereof. No Federal-aid system or portion thereof shall be eligible for projects in which Federal funds participate until approved by the Secretary.

§ 104. Apportionment

(a) Whenever an apportionment is made of the sums authorized to be appropriated for expenditure upon the Federal-aid systems, the Secretary shall deduct a sum, in such amount not to exceed $3\frac{3}{4}$ per centum of all sums so authorized, as the Secretary may deem necessary for administering the provisions of law to be financed from appropriations for the Federal-aid systems and for carrying on the research authorized by subsections (a) and (b) of section 307 of this title. In making such determination, the Secretary shall take into account the unexpended balance of any sums deducted for such purposes in prior years. The sum so deducted shall be available for expenditure from the unexpended balance of any appropriation made at any time for expenditure upon the Federal-aid systems, until such sum has been expended.

(b) On or before January 1 next preceding the commencement of each fiscal year, except as provided in paragraphs (4) and (5) of this subsection, the Secretary, after making the deduction authorized by subsection (a) of this section, shall apportion the remainder of the sums authorized to be appropriated for expenditure upon the Federal-aid systems for that fiscal year, among the several States in the following manner:

- (1) For the Federal-aid primary system:

One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census; one-third in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery and star routes in all the States at the close of the next preceding **[fiscal]** *calendar* year, as shown by a certificate of the Postmaster General, which he is directed to make and furnish annually to the Secretary. No State shall receive less than one-half of 1 per centum of each year's apportionment.

- (2) For the Federal-aid secondary system:

One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the rural population of each State bears to the total rural population of all the States as shown by the latest available Federal census; and one-third in the ratio which the mileage of rural delivery and star routes, certified as above provided, in each State bears to the total mileage of rural delivery and star routes in all the States. No State shall receive less than one-half of 1 per centum of each year's apportionment.

- (3) For extensions of the Federal-aid primary and Federal-aid secondary systems within urban areas:

In the ratio which the population in municipalities and other urban places, of five thousand or more, in each State bears to the total population in municipalities and other urban places of five thousand or more in all the States, as shown by the latest available Federal census. For the purpose of this paragraph, Connecticut and Vermont towns shall be considered municipalities regardless of their incorporated status.

- (4) For the Interstate System, for the fiscal years ending June 30, 1957, June 30, 1958, and June 30, 1959:

One-half in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census, except that no States shall receive less than three-fourths of 1 per centum of the funds so apportioned; and one-half in the manner provided in paragraph (1) of this subsection. The sums authorized by section 108(b) of the Federal-Aid Highway Act of 1956 for the fiscal years ending June 30, 1958, and June 30, 1959, shall be apportioned on a date not less than six months and not more than twelve months in advance of the beginning of the fiscal year for which authorized.

- (5) For the Interstate System for the fiscal years 1960 through 1969:

In the ratio which the estimated cost of completing the Interstate System in each State, as determined and approved in the manner provided in this paragraph, bears to the sum of the estimated cost of completing the Interstate System in all of the States. Each apportionment herein authorized for the fiscal years 1960 through 1969, inclusive, shall be made on a date as far in advance of the beginning of the fiscal year for which authorized as practicable but in no case more than eighteen months prior to the beginning of the fiscal year for which authorized. As soon as the standards provided for in subsection (b) of section 109 of

this title have been adopted, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of completing the Interstate System as then designated, after taking into account all previous apportionments made under this section, based upon such standards and in accordance with rules and regulations adopted by him and applied uniformly to all of the States. The Secretary shall transmit such estimates to the Senate and the House of Representatives within ten days subsequent to January 2, 1958. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1960, June 30, 1961, and June 30, 1962. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1962. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1963, June 30, 1964, June 30, 1965, and June 30, 1966. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1966, and annually thereafter through and including January 2, 1968. Upon approval of any such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal year which begins next following the fiscal year in which such report is transmitted to the Senate and the House of Representatives. Whenever the Secretary, pursuant to this subsection, requests and receives estimates of cost from the State highway departments, he shall furnish copies of such estimates at the same time to the Senate and the House of Representatives.

(c) Not more than 20 per centum of the amount apportioned in any fiscal year, commencing with the apportionment of funds authorized to be appropriated under subsection (a) of section 102 of the Federal-Aid Highway Act of 1956 (70 Stat. 374), to each State in accordance with paragraphs (1), (2), or (3) of subsection (b) of this section may be transferred from the apportionment under one paragraph to the apportionment under any other of such paragraphs if such a transfer is requested by the State highway department and is approved by the Governor of such State and the Secretary as being in the public interest. The total of such transfers shall not increase the original apportionment under any of such paragraphs by more than 20 per centum. Nothing contained in this subsection shall alter or impair the authority contained in subsection (d) of this section.

(d) Any funds which are apportioned under paragraph (2) of subsection (b) of this section for the Federal-aid secondary system to a State in which all public roads and highways are under the control and supervision of the State highway department may, if the State highway department and the Secretary jointly agree that such funds

are not needed for the Federal-aid secondary system, be expended for projects on another Federal-aid system.

(e) On or before January 1 preceding the commencement of each fiscal year, the Secretary shall certify to each of the State highway departments the sums which he has apportioned hereunder to each State for such fiscal year, and also the sums which he has deducted for administration and research pursuant to subsection (a) of this section.

§ 105. Programs

(a) As soon as practicable after the apportionments for the Federal-aid systems have been made for any fiscal year, the State highway department of any State desiring to avail itself of the benefits of this chapter shall submit to the Secretary for his approval a program or programs of proposed projects for the utilization of the funds apportioned. The Secretary shall act upon programs submitted to him as soon as practicable after the same have been submitted. The Secretary may approve a program in whole or in part, but he shall not approve any project in a proposed program which is not located upon an approved Federal-aid system.

(b) In approving programs for projects on the Federal-aid secondary system, the Secretary shall require, except in States where all public roads and highways are under the control and supervision of the State highway department, that such project be selected by the State highway department and the appropriate local officials in cooperation with each other.

(c) In approving programs for projects on the Federal-aid primary system, the Secretary shall give preference to such projects as will expedite the completion of an adequate and connected system of highways interstate in character.

(d) In approving programs for projects under this chapter, the Secretary may give priority of approval to, and expedite the construction of, projects that are recommended as important to the national defense by the Secretary of Defense, or other official authorized by the President to make such recommendation.

§ 106. Plans, specifications, and estimates

(a) Except as provided in section 117 of this title, the State highway department shall submit to the Secretary for his approval, as soon as practicable after program approval, such surveys, plans, specifications, and estimates for each proposed project included in an approved program as the Secretary may require. The Secretary shall act upon such surveys, plans, specifications, and estimates as soon as practicable after the same have been submitted, and his approval of any such project shall be deemed a contractual obligation of the Federal Government for the payment of its proportional contribution thereto. In taking such action, the Secretary shall be guided by the provisions of section 109 of this title.

(b) In addition to the approval required under subsection (a) of this section, proposed specifications for projects for construction on the Federal-aid secondary system, except in States where all public roads and highways are under the control and supervision of the State highway department, shall be determined by the State highway department and the appropriate local officials in cooperation with each other.

(c) Items included in any such estimate for construction engineering shall not exceed 10 per centum of the total estimated cost of the project, after excluding from such total estimated cost, the estimated costs of rights-of-way, preliminary engineering and construction engineering.

§ 107. Acquisition of rights-of-way—Interstate System

(a) In any case in which the Secretary is requested by a State to acquire lands or interests in lands (including within the term "interests in lands", the control of access thereto from adjoining lands) required by such State for right-of-way or other purposes in connection with the prosecution of any project for the construction, reconstruction, or improvement of any section of the Interstate System, the Secretary is authorized, in the name of the United States and prior to the approval of title by the Attorney General, to acquire, enter upon, and take possession of such lands or interests in lands by purchase, donation, condemnation, or otherwise in accordance with the laws of the United States (including the Act of February 26, 1931, 46 Stat. 1421), if—

(1) the Secretary has determined either that the State is unable to acquire necessary lands or interests in lands, or is unable to acquire such lands or interests in lands with sufficient promptness; and

(2) the State has agreed with the Secretary to pay, at such time as may be specified by the Secretary an amount equal to 10 per centum of the costs incurred by the Secretary, in acquiring such lands or interests in lands, or such lesser percentage which represents the State's pro rata share of project costs as determined in accordance with subsection (c) of section 120 of this title.

The authority granted by this section shall also apply to lands and interests in lands received as grants of land from the United States and owned or held by railroads or other corporations.

(b) The costs incurred by the Secretary in acquiring any such lands or interests in lands may include the cost of examination and abstract of title, certificate of title, advertising, and any fees incidental to such acquisition. All costs incurred by the Secretary in connection with the acquisition of any such lands or interests in lands shall be paid from the funds for construction, reconstruction, or improvement of the Interstate System apportioned to the State upon the request of which such lands or interests in lands are acquired, and any sums paid to the Secretary by such State as its share of the costs of acquisition of such lands or interests in lands shall be deposited in the Treasury to the credit of the appropriation for Federal-aid highways and shall be credited to the amount apportioned to such State as its apportionment of funds for construction, reconstruction, or improvement of the Interstate System, or shall be deducted from other moneys due the State for reimbursement from funds authorized to be appropriated under section 108 (b) of the Federal-Aid Highway Act of 1956.

(c) The Secretary is further authorized and directed by proper deed, executed in the name of the United States, to convey any such lands or interests in lands acquired in any State under the provisions of this section, except the outside five feet of any such right-of-way in any State which does not provide control of access, to the State highway department of such State or such political subdivision thereof as its laws may provide, upon such terms and conditions as to such

lands or interests in lands as may be agreed upon by the Secretary and the State highway department or political subdivisions to which the conveyance is to be made. Whenever the State makes provision for control of access satisfactory to the Secretary, the outside five feet then shall be conveyed to the State by the Secretary, as herein provided.

(d) Whenever rights-of-way, including control of access, on the Interstate System are required over lands or interests in lands owned by the United States, the Secretary may make such arrangements with the agency having jurisdiction over such lands as may be necessary to give the State or other person constructing the projects on such lands adequate rights-of-way and control of access thereto from adjoining lands, and any such agency is directed to cooperate with the Secretary in this connection.

§ 108. Advance acquisition of rights-of-way

(a) For the purpose of facilitating the acquisition of rights-of-way on any of the Federal-aid highway systems, including the Interstate System, in the most expeditious and economical manner, and recognizing that the acquisition of rights-of-way requires lengthy planning and negotiations if it is to be done at a reasonable cost, the Secretary, upon the request of the State highway department, is authorized to make available the funds apportioned to any State for expenditure on any of the Federal-aid highway systems, including the Interstate System, for acquisition of rights-of-way, in anticipation of construction and under such rules and regulations as the Secretary may prescribe. The agreement between the Secretary and the State highway department for the reimbursement of the cost of such rights-of-way shall provide for the actual construction of a road on such rights-of-way within a period not exceeding seven years following the fiscal year in which such request is made.

(b) Federal participation in the cost of rights-of-way acquired under this section shall not exceed the Federal pro rata share applicable to the class of funds from which Federal reimbursement is made.

§ 109. Standards

(a) The Secretary shall not approve plans and specifications for proposed projects on any Federal-aid system if they fail to provide for a facility (1) that will adequately meet the existing and probable future traffic needs and conditions in a manner conducive to safety, durability, and economy of maintenance; (2) that will be designed and constructed in accordance with standards best suited to accomplish the foregoing objectives and to conform to the particular needs of each locality.

(b) The geometric and construction standards to be adopted for the Interstate System shall be those approved by the Secretary in cooperation with the State highway departments. Such standards shall be adequate to accommodate the types and volumes of traffic forecast for the year 1975. The right-of-way width of the Interstate System shall be adequate to permit construction of projects on the Interstate System up to such standards. The Secretary shall apply such standards uniformly throughout the States.

(c) Projects on the Federal-aid secondary system in which Federal funds participate shall be constructed according to specifications that will provide all-weather service and permit maintenance at a reasonable cost.

(d) On any highway project in which Federal funds hereafter participate, or on any such project constructed since December 20, 1944, the location, form and character of informational, regulatory and warning signs, curb and pavement or other markings, and traffic signals installed or placed by any public authority or other agency, shall be subject to the approval of the State highway department with the concurrence of the Secretary, who is directed to concur only in such installations as will promote the safe and efficient utilization of the highways.

(e) No funds shall be approved for expenditure on any Federal-aid highway, or highway affected under chapter 2 of this title, unless proper safety protective devices complying with safety standards determined by the Secretary at that time as being adequate shall be installed or be in operation at any highway and railroad grade crossing or drawbridge on that portion of the highway with respect to which such expenditures are to be made.

(f) The Secretary shall not, as a condition precedent to his approval under section 106 of this title, require any State to acquire title to, or control of, any marginal land along the proposed highway in addition to that reasonably necessary for road surfaces, median strips, gutters, ditches, and side slopes, and of sufficient width to provide service roads for adjacent property to permit safe access at controlled locations in order to expedite traffic, promote safety, and minimize roadside parking.

§ 110. Project agreements

(a) As soon as practicable after the plans, specifications, and estimates for a specific project have been approved, the Secretary shall enter into a formal project agreement with the State highway department concerning the construction and maintenance of such project. Such project agreement shall make provision for State funds required for the State's pro rata share of the cost of construction of such project and for the maintenance thereof after completion of construction.

(b) The Secretary may rely upon representations made by the State highway department with respect to the arrangements or agreements made by the State highway department and appropriate local officials where a part of the project is to be constructed at the expense of, or in cooperation with, local subdivisions of the State.

§ 111. Agreements relating to use of and access to rights-of-way— Interstate System

All agreements between the Secretary and the State highway department for the construction of projects on the Interstate System shall contain a clause providing that the State will not add any points of access to, or exit from, the project in addition to those approved by the Secretary in the plans for such project, without the prior approval of the Secretary. Such agreements shall also contain a clause providing that the State will not permit automotive service stations or other commercial establishments for serving motor vehicle users to be constructed or located on the rights-of-way of the Interstate System. Such agreements may, however, authorize a State or political subdivision thereof to use or permit the use of the airspace above and below the established grade line of the highway pavement for such purposes as will not impair the full use and safety of the

highway, as will not require or permit vehicular access to such space directly from such established grade line of the highway, or otherwise interfere in any way with the free flow of traffic on the Interstate System.

§ 112. Letting of contracts

(a) In all cases where the construction is to be performed by the State highway department or under its supervision, a request for submission of bids shall be made by advertisement unless some other method is approved by the Secretary. The Secretary shall require such plans and specifications and such methods of bidding as shall be effective in securing competition.

(b) Construction of each project, subject to the provisions of subsection (a) of this section, shall be performed by contract awarded by competitive bidding, unless the Secretary shall affirmatively find that, under the circumstances relating to such project, some other method is in the public interest. All such findings shall be reported promptly in writing to the Committees on Public Works of the Senate and the House of Representatives.

(c) The Secretary shall require as a condition precedent to his approval of each contract awarded by competitive bidding pursuant to subsection (b) of this section, and subject to the provisions of this section, a sworn statement, executed by, or on behalf of, the person, firm, association, or corporation to whom such contract is to be awarded, certifying that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with such contract.

(d) No contract awarded by competitive bidding pursuant to subsection (b) of this section, and subject to the provisions of this section, shall be entered into by any State highway department or local subdivision of the State without compliance with the provisions of this section, and without the prior concurrence of the Secretary in the award thereof.

(e) The provisions of this section shall not be applicable to contracts for projects on the Federal-aid secondary system in those States where the Secretary has discharged his responsibility pursuant to section 117 of this title.

§ 113. Prevailing rate of wage—Interstate System

(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Interstate System authorized under section 108(b) of the Federal-Aid Highway Act of 1956, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C., sec. 276a).

(b) In carrying out the duties of subsection (a) of this section, the Secretary of Labor shall consult with the highway department of the State in which a project on the Interstate System is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of

this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

§ 114. Construction

(a) The construction of any highways or portions of highways located on a Federal-aid system shall be undertaken by the respective State highway departments or under their direct supervision. Except as provided in section 117 of this title, such construction shall be subject to the inspection and approval of the Secretary. The construction work and labor in each State shall be performed under the direct supervision of the State highway department and in accordance with the laws of that State and applicable Federal laws. Construction may be begun as soon as funds are available for expenditure pursuant to subsection (a) of section 118 of this title. On any project where actual construction is in progress and visible to highway users, the State highway department shall erect such informational sign or signs as prescribed by the Secretary, identifying the project and the respective amounts contributed therefor by the State and Federal Governments.

(b) Convict labor shall not be used in such construction unless it is labor performed by convicts who are on parole or probation.

§ 115. Construction by States in advance of apportionment— Interstate System

(a) When a State has obligated all funds apportioned to it under subsection (b) (4) and (5) of section 104 of this title, and proceeds to construct any project without the aid of Federal funds, including one or more parts of any project, on the Interstate System as designated at that time, in accordance with all procedures and all requirements applicable to projects financed with Interstate System funds authorized to be appropriated under subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, except insofar as such procedures and requirements limit a State to the construction of projects with the aid of Federal funds previously apportioned to it, the Secretary, upon application by such State and his approval of such application, is authorized to pay to such State the Federal share of the costs of construction of such project when additional funds are apportioned to such State under subsection (b) (4) and (5) of section 104 of this title if:

(1) prior to the construction of the project the Secretary shall have approved the plans and specifications therefor in the same manner as other projects on the Interstate System, and

(2) the project shall conform to the standards adopted under subsection (b) of section 109 of this title.

(b) In determining the apportionment for any fiscal year under the provisions of subsection (b)(5) of section 104 of this title, any such project constructed by a State without the aid of Federal funds shall not be considered completed until an application under the provisions of this section with respect to such project has been approved by the Secretary.

§ 116. Maintenance

(a) It shall be the duty of the State highway department to maintain, or cause to be maintained, any project constructed under the provisions of this chapter or constructed under the provisions of prior

Acts. The State's obligation to the United States to maintain any such project shall cease when it no longer constitutes a part of a Federal-aid system.

(b) In any State wherein the State highway department is without legal authority to maintain a project constructed on the Federal-aid secondary system, or within a municipality, such highway department shall enter into a formal agreement for its maintenance with the appropriate officials of the county or municipality in which such project is located.

(c) If at any time the Secretary shall find that any project constructed under the provisions of this chapter, or constructed under the provisions of prior Acts, is not being properly maintained, he shall call such fact to the attention of the State highway department. If, within ninety days after receipt of such notice, such project has not been put in proper condition of maintenance, the Secretary shall withhold approval of further projects of all types in the entire State until such project shall have been put in proper condition of maintenance, unless such project is subject to an agreement pursuant to subsection (b) of this section, in which case approval shall be withheld only for secondary or urban projects in the county or municipality where such project is located.

§ 117. Secondary road responsibility

(a) The Secretary may, upon the request of any State highway department, discharge his responsibility relative to the plans, specifications, estimates, surveys, contract awards, design, inspection, and construction of all projects on the Federal-aid secondary system by his receiving and approving a certified statement by the State highway department setting forth that the plans, design, and construction for each such project are in accord with those standards and procedures which (1) were adopted by such State highway department, (2) were applicable to projects in this category, and (3) were approved by him.

(b) The Secretary shall not approve such standards and procedures unless they are in accordance with the provisions of subsection (b) of section 105, subsection (b) of section 106, and subsection (c) of section 109, of this title.

(c) Subsections (a) and (b) of this section shall not be construed to relieve the Secretary of his obligation to make a final inspection of each project after construction and to require an adequate showing of the estimate cost of construction and the actual cost of construction.

§ 118. Availability of sums apportioned

(a) On and after the date that the Secretary has certified to each State highway department the sums apportioned to each Federal-aid system or part thereof pursuant to an authorization under this title, or under prior Acts, such sums shall be available for expenditure under the provisions of this title.

(b) Such sums shall continue available for expenditure in that State for the appropriate Federal-aid system or part thereof for a period of two years after the close of the fiscal year for which such sums are authorized and any amounts so apportioned remaining unexpended at the end of such period shall lapse, except that any amount apportioned to the States for the Interstate System under subsection (b) (4) and (5) of section 104 of this title remaining unexpended at the end of the period during which it is available under this section shall

lapse and shall immediately be reapportioned among the other States in accordance with the provisions of subsection (b)(5) of section 104 of this title. Such sums for any fiscal year shall be deemed to be expended if a sum equal to the total of the sums apportioned to the State for such fiscal year and previous fiscal years is covered by formal project agreements providing for the expenditure of funds authorized by each Act which contains provisions authorizing the appropriation of funds for Federal-aid highways. Any Federal-aid highway funds released by the payment of the final voucher or by the modification of the formal project agreement shall be credited to the same class of funds, primary, secondary, urban, or interstate, previously apportioned to the State and be immediately available for expenditure.

(c) The total payments to any State shall not at any time during a current fiscal year exceed the total of all apportionments to such State in accordance with section 104 of this title for such fiscal year and all preceding fiscal years.

§ 120. Federal share payable

(a) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project, financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system shall not exceed 50 per centum of the cost of construction, except that in the case of any State containing nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved) exclusive of national forests and national parks and monuments, exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area.

(b) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project, financed with interstate funds on the Interstate System, authorized to be appropriated prior to June 29, 1956, shall not exceed 60 per centum of the cost of construction, except that in the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area. The provisions of subsection (a) of this section shall apply to any project financed with funds authorized by the provisions of section 2 of the Federal-Aid Highway Act of 1952.

(c) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project on the Interstate System provided for by funds made available under the provisions of section 108(b) of the Federal-Aid Highway Act of 1956 shall be increased to 90 per centum of the total cost thereof, plus a percentage of the remaining 10 per centum of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, equal to the percentage that the area of such lands in such State is of its total area, except that such Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of such project.

(d) The Federal share payable on account of any project for the elimination of hazards of railway-highway crossings, as more fully described and subject to the conditions and limitations set forth in section 130 of this title, may amount to 100 per centum of the cost of construction of such projects, except that not more than 50 per centum of the right-of-way and property damage costs, paid from public funds, on any such project, may be paid from sums apportioned in accordance with section 104 of this title: *Provided*, That not more than 10 per centum of all the sums apportioned for all the Federal-aid systems for any fiscal year in accordance with section 104 of this title shall be used under this subsection.

(e) The Secretary may rely on a statement from the Secretary of the Interior as to the area of the lands referred to in subsections (a) and (b) of this section. The Secretary of the Interior is authorized and directed to provide such statement annually.

(f) The Federal share payable on account of any repair or reconstruction provided for by funds made available under section 125 of this title shall not exceed 50 per centum of the cost thereof, except that the Federal share payable on account of any repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads may amount to 100 per centum of the cost thereof, whether or not such highways, roads, or trails are on any Federal-aid highway system. Any project agreement for which the final voucher has not been approved by the Secretary on or before the date of this Act may be modified to provide for the Federal share authorized herein.

(g) The Secretary is authorized to cooperate with the State highway departments and with the Department of the Interior in the construction of Federal-aid highways within Indian reservations and national parks and monuments under the jurisdiction of the Department of the Interior and to pay the amount assumed therefor from the funds apportioned in accordance with section 104 of this title to the State wherein the reservations and national parks and monuments are located.

§ 121. Payment to States for construction

(a) The Secretary may in his discretion, from time to time as the work progresses, make payments to a State for costs of construction incurred by it on a project. These payments shall at no time exceed the Federal share of the costs of construction incurred to the date of the voucher covering such payment plus the Federal share of the value of the materials which have been stockpiled in the vicinity of such construction in conformity to plans and specifications for the project.

(b) After completion of a project in accordance with the plans and specifications, and approval of the final voucher by the Secretary, a State shall be entitled to payment out of the appropriate sums apportioned to it of the unpaid balance of the Federal share payable on account of such project.

(c) No payment shall be made under this chapter, except for a project located on a Federal-aid system and covered by a project agreement. No final payment shall be made to a State for its costs of construction of a project until the completion of the construction has been approved by the Secretary following inspections pursuant to section 114(a) of this title.

(d) In making payments pursuant to this section, the Secretary shall be bound by the limitations with respect to the permissible amounts of such payments contained in sections 120 and 130 of this title. Payments for construction engineering on any one project shall not exceed the 10 per centum of the Federal share of the cost of construction of such project after excluding from the cost of construction the costs of rights-of-way, preliminary engineering, and construction engineering.

(e) Such payments shall be made to such official or officials or depository as may be designated by the State highway department and authorized under the laws of the State to receive public funds of the State.

§ 122. Payment to States for bond retirement

Any State that shall use the proceeds of bonds issued by the State, county, city, or other political subdivision of the State for the construction of one or more projects on the Federal-aid primary or Interstate System, or extensions of any of the Federal-aid highway systems in urban areas, may claim payment of any portion of the sums apportioned to it for expenditure on such system to aid in the retirement of the principal of such bonds at their maturities, to the extent that the proceeds of such bonds have been actually expended in the construction of one or more of such projects. Such claim for payment may be made only when all of the provisions of this title have been complied with to the same extent and with the same effect as though payment were to be made to the State under section 121 of this title, instead of this section, and the Federal share payable shall not exceed the pro rata basis of payment authorized in section 120 of this title. This section shall not be construed as a commitment or obligation on the part of the United States to provide funds for the payment of the principal of any such bonds.

§ 123. Relocation of utility facilities

(a) When a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project. Federal funds shall not be used to reimburse the State under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State. Such reimbursement shall be made only after evidence satisfactory to the Secretary shall have been presented to him substantiating the fact that the State has paid such cost from its own funds with respect to Federal-aid highway projects for which Federal funds are obligated subsequent to April 16, 1958, for work, including relocation of utility facilities.

(b) The term "utility", for the purposes of this section, shall include publicly, privately, and cooperatively owned utilities.

(c) The term "cost of relocation", for the purposes of this section, shall include the entire amount paid by such utility properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility.

§ 124. Advances to States

If the Secretary shall determine that it is necessary for the expeditious completion of projects on any of the Federal-aid systems, including the Interstate System, he may advance to any State out of any existing appropriations the Federal share of the cost of construction thereof to enable the State highway department to make prompt payments for acquisition of rights-of-way, and for the construction as it progresses. The sums so advanced shall be deposited in a special revolving trust fund, by the State official authorized under the laws of the State to receive Federal-aid highway funds, to be disbursed solely upon vouchers approved by the State highway department for rights-of-way which have been or are being acquired, and for construction which has been actually performed and approved by the Secretary pursuant to this chapter. Upon determination by the Secretary that any part of the funds advanced to any State under the provisions of this section are no longer required, the amount of the advance, which is determined to be in excess of current requirements of the State, shall be repaid upon his demand, and such repayments shall be returned to the credit of the appropriation from which the funds were advanced. Any sum advanced and not repaid on demand shall be deducted from sums due the State for the Federal pro rata share of the cost of construction of Federal-aid projects.

§ 125. Emergency relief

(a) An emergency fund is authorized for expenditure by the Secretary, subject to the provisions of this section and section 120, for the repair or reconstruction of highways, roads, and trails which he shall find have suffered serious damage as the result of disaster over a wide area, such as by floods, hurricanes, tidal waves, earthquakes, severe storms, landslides, or other catastrophes in any part of the United States. The appropriation of such moneys, not to exceed \$30,000,000, as may be necessary for the initial establishment of this fund and for its replenishment on an annual basis is authorized. Pending such appropriation or replenishment the Secretary may expend from any funds heretofore or hereafter appropriated for expenditure in accordance with the provisions of this title, including existing Federal-aid appropriations, such sums as may be necessary for the immediate prosecution of the work herein authorized, such appropriations to be reimbursed from the appropriations herein authorized when made.

(b) The Secretary may expend funds from the emergency fund herein authorized for the repair or reconstruction of highways on the Federal-aid highway systems, including the Interstate System, in accordance with the provisions of this chapter. Except as to highways, roads, and trails mentioned in subsection (c) of this section, no funds shall be so expended unless the Secretary has received an application therefor from the State highway department, and unless an emergency has been declared by the Governor of the State and concurred in by the Secretary.

(c) The Secretary may expend funds from the emergency fund herein authorized, either independently or in cooperation with any other branch of the Government, State agency, organization, or person, for the repair or reconstruction of forest highways, forest development roads and trails, park roads and trails, and Indian reserva-

tion roads, whether or not such highways, roads, or trails are on any of the Federal-aid highway systems.

§ 126. Diversion

(a) Since it is unfair and unjust to tax motor-vehicle transportation unless the proceeds of such taxation are applied to the construction, improvement, or maintenance of highways, after June 30, 1935, Federal aid for highway construction shall be extended only to those States that use at least the amounts provided by law on June 18, 1934, for such purposes in each State from State motor vehicle registration fees, licenses, gasoline taxes, and other special taxes on motor-vehicle owners and operators of all kinds for the construction, improvement, and maintenance of highways and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues have been pledged, and for no other purposes, under such regulations as the Secretary of Commerce shall promulgate from time to time.

(b) In no case shall the provisions of this section operate to deprive any State of more than one-third of the entire apportionment authorized under this chapter to which that State would be entitled in any fiscal year. The amount of any reduction in a State's apportionment shall be reapportioned in the same manner as any other unexpended balance at the end of the period during which it otherwise would be available in accordance with section 104(b) of this title.

§ 127. Vehicle weight and width limitations—Interstate System

No funds authorized to be appropriated for any fiscal year under section 108(b) of the Federal-Aid Highway Act of 1956 shall be apportioned to any State within the boundaries of which the Interstate System may lawfully be used by vehicles with weight in excess of eighteen thousand pounds carried on any one axle, or with a tandem-axle weight in excess of thirty-two thousand pounds, or with an overall gross weight in excess of seventy-three thousand two hundred and eighty pounds, or with a width in excess of ninety-six inches, or the corresponding maximum weights or maximum widths permitted for vehicles using the public highways of such State under laws or regulations established by appropriate State authority in effect on July 1, 1956, whichever is the greater. Any amount which is withheld from apportionment to any State pursuant to the foregoing provisions shall lapse. This section shall not be construed to deny apportionment to any State allowing the operation within such State of any vehicles or combinations thereof that could be lawfully operated within such State on July 1, 1956. With respect to the State of Hawaii, laws or regulations in effect on February 1, 1960, shall be applicable for the purposes of this section in lieu of those in effect on July 1, 1956.

§ 128. Public hearings

(a) Any State highway department which submits plans for a Federal-aid highway project involving the bypassing of, or going through, any city, town, or village, either incorporated or unincorporated, shall certify to the Secretary that it has had public hearings, or has afforded the opportunity for such hearings, and has considered the economic effects of such a location. Any State highway department which submits plans for an Interstate System project shall certify

to the Secretary that it has had public hearings at a convenient location, or has afforded the opportunity for such hearings, for the purpose of enabling persons in rural areas through or contiguous to whose property the highway will pass to express any objections they may have to the proposed location of such highway.

(b) When hearings have been held under subsection (a), the State highway department shall submit a copy of the transcript of said hearings to the Secretary, together with the certification.

§ 129. Toll roads, bridges, tunnels, and ferries

(a) Notwithstanding the provisions of section 301 of this title, the Secretary may permit Federal participation, on the same basis and in the same manner as in the construction of free highways under this chapter, in the construction of any toll bridge, toll tunnel, or approach thereto, upon compliance with the conditions contained in this section. Such bridge, tunnel, or approach thereto, must be publicly owned and operated. Federal funds may participate in the approaches to a toll bridge or toll tunnel whether such bridge or tunnel is to be or has been constructed, or acquired, by the State or other public authority. The State highway department or departments must be a party or parties to an agreement with the Secretary whereby it or they undertake performance of the following obligations:

(1) all tolls received from the operation of the bridge or tunnel, less the actual cost of such operation and maintenance, shall be applied to the repayment to the State or other public authority of all of the costs of construction or acquisition of such bridge or tunnel, except that part which was contributed by the United States;

(2) no tolls shall be charged for the use of such bridge or tunnel after the State or other public authority shall have been so repaid; and

(3) after the date of final repayment, the bridge or tunnel shall be maintained and operated as a free bridge or free tunnel.

(b) Upon a finding by the Secretary that such action will promote the development of an integrated Interstate System, the Secretary is authorized to approve as part of the Interstate System any toll road, bridge or tunnel, now or hereafter constructed which meets the standards adopted for the improvement of projects located on the Interstate System, when such toll road, bridge or tunnel is located on a route heretofore or hereafter designated as a part of the Interstate System. No Federal-aid highway funds shall be expended for the construction, reconstruction or improvement of any such toll road, except to the extent permitted by law after June 29, 1956. No Federal-aid highway funds shall be expended for the construction, reconstruction or improvement of any such toll bridge or tunnel, except to the extent permitted by law on or after June 29, 1956.

(c) Funds authorized for expenditure on any of the Federal-aid highway systems, including the Interstate System, shall be available for expenditure on projects approaching any toll road, bridge or tunnel to a point where such project will have some use irrespective of its use for such toll road, bridge or tunnel.

(d) Funds authorized for the Interstate System shall be available for expenditure on Interstate System projects approaching any toll road on the Interstate System, although the project has no use other than an approach to such toll road, if an agreement satisfactory to

the Secretary has been reached with the State prior to the approval of such project—

(1) that the section of toll road will become free to the public upon the collection of tolls sufficient to liquidate the cost of the toll road or any bonds outstanding at the time constituting a valid lien against such section of toll road covered in the agreement and their maintenance and operation and debt service during the period of toll collections, and

(2) that there is one or more reasonably satisfactory alternate free routes available to traffic by which the toll section of the system may be bypassed.

(e) Notwithstanding the provisions of section 301 of this title, the Secretary may permit Federal participation under this title in the construction of a project constituting an approach to a ferry, whether toll or free, the route of which has been approved under section 103(b) or (c) of this title as a part of one of the Federal-aid systems and has not been designated as a route on the Interstate System. Such ferry may be either publicly or privately owned and operated, but the operating authority and the amount of fares charged for passage shall be under the control of a State agency or official, and all revenues derived from publicly owned or operated ferries shall be applied to payment of the cost of construction or acquisition thereof, including debt service, and to actual and necessary costs of operation, maintenance, repair, and replacement.

§ 130. Railway-highway crossings

(a) Except as provided in subsection (d) of section 120 of this title and subsection (b) of this section, the entire cost of construction of projects for the elimination of hazards of railway-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, and the relocation of highways to eliminate grade crossings, may be paid from sums apportioned in accordance with section 104 of this title. In any case when the elimination of the hazards of a railway-highway crossing can be effected by the relocation of a portion of a railway at a cost estimated by the Secretary to be less than the cost of such elimination by one of the methods mentioned in the first sentence of this section, then the entire cost of such relocation project, except as provided in subsection (d) of section 120 of this title and subsection (b) of this section, may be paid from sums apportioned in accordance with section 104 of this title.

(b) The Secretary may classify the various types of projects involved in the elimination of hazards of railway-highway crossings, and may set for each such classification a percentage of the costs of construction which shall be deemed to represent the net benefit to the railroad or railroads for the purpose of determining the railroad's share of the cost of construction. The percentage so determined shall in no case exceed 10 per centum. The Secretary shall determine the appropriate classification of each project.

(c) Any railroad involved in a project for the elimination of hazards of railway-highway crossings paid for in whole or in part from sums made available for expenditure under this title, or prior Acts, shall be liable to the United States for the net benefit to the railroad determined under the classification of such project made pursuant to subsection (b) of this section. Such liability to the

United States may be discharged by direct payment to the State highway department of the State in which the project is located, in which case such payment shall be credited to the cost of the project. Such payment may consist in whole or in part of materials and labor furnished by the railroad in connection with the construction of such project. If any such railroad fails to discharge such liability within a six-month period after completion of the project, it shall be liable to the United States for its share of the cost, and the Secretary shall request the Attorney General to institute proceedings against such railroad for the recovery of the amount for which it is liable under this subsection. The Attorney General is authorized to bring such proceedings on behalf of the United States, in the appropriate district court of the United States, and the United States shall be entitled in such proceedings to recover such sums as it is considered and adjudged by the court that such railroad is liable for in the premises. Any amounts recovered by the United States under this subsection shall be credited to miscellaneous receipts.

§ 131. Areas adjacent to the Interstate System

(a) To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, it is declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within six hundred and sixty feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System constructed upon any part of right-of-way, the entire width of which is acquired subsequent to July 1, 1956, should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall include only the following four types of signs, and no signs advertising illegal activities:

(1) Directional or other official signs or notices that are required or authorized by law.

(2) Signs advertising the sale or lease of the property upon which they are located.

(3) Signs erected or maintained pursuant to authorization or permitted under State law, and not inconsistent with the national policy and standards of this section, advertising activities being conducted at a location within twelve miles of the point at which such signs are located.

(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

(b) The Secretary of Commerce is authorized to enter into agreements with State highway departments (including such supplementary agreements as may be necessary) to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State. Any such agreement shall include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising

devices in conformity with the standards established in accordance with subsection (a) of this section and may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions that are accessible to the public without charge, and the erection of markers, signs, or plaques, and development of areas in appreciation of sites of historical significance. Agreements entered into between the Secretary of Commerce and State highway departments under this section shall not apply to those segments of the Interstate System which traverse commercial or industrial zones within the presently existing boundaries of incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use, as of the date of approval of this Act, is clearly established by State law as industrial or commercial: and any such segment excluded from the application of such standards shall not be considered in computing the increase of the Federal share payable on account thereof.

(c) Notwithstanding the provisions of section 109 of this title, if an agreement pursuant to this section has been entered into with any State prior to July 1, 1963, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section 108(b) of the Federal-Aid Highway Act of 1956, as amended by section 8 of the Federal-Aid Highway Act of 1958, to which the national policy and the agreement apply, shall be increased by one-half of one per centum of the total cost thereof, not including any additional cost that may be incurred in the carrying out of the agreement. The increase in the Federal share which is payable hereunder shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated, which such appropriations are hereby authorized.

(d) Whenever any portion of the Interstate System is located upon or adjacent to any public lands or reservations of the United States, the Secretary of Commerce may make such arrangements and enter into such agreements with the agency having jurisdiction over such lands or reservations as may be necessary to carry out the national policy set forth in subsection (a) of this section, and any such agency is authorized and directed to cooperate fully with the Secretary of Commerce in this connection.

(e) Whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way of a project on the Interstate System for the purpose of implementing this section, the cost of such acquisition shall be considered as a part of the cost of construction of such project and Federal funds may be used to pay the Federal pro rata share of such cost. Reimbursement to the State shall be made only with respect to that portion of such cost which does not exceed 5 per centum of the cost of the right-of-way for such project.

§ 132. Payments on Federal-aid projects undertaken by a Federal agency

Where a proposed Federal-aid project is to be undertaken by a Federal agency pursuant to an agreement between a State and such Federal agency and the State makes a deposit with or payment to

such Federal agency as may be required in fulfillment of the State's obligation under such agreement for the work undertaken or to be undertaken by such Federal agency, the Secretary, upon execution of a project agreement with such State for the proposed Federal-aid project, may reimburse the State out of the appropriate appropriations the estimated Federal share under the provisions of this title of the State's obligation so deposited or paid by such State. Upon completion of such project and its acceptance by the Secretary, an adjustment shall be made in such Federal share payable on account of such project based on the final cost thereof. Any sums reimbursed to the State under this section which may be in excess of the Federal pro rata share under the provisions of this title of the State's share of the cost as set forth in the approved final voucher submitted by the State shall be recovered and credited to the same class of funds from which the Federal payment under this section was made.

§ 133. Relocation assistance

(a) *As used in this section the term "eligible person" means any individual, family, business concern (including the operation of a farm) and nonprofit organization to be displaced by construction of a project.*

(b) *The Secretary prior to his approval of any project under section 106 of this title for right-of-way acquisition or actual construction shall require the State highway department to give satisfactory assurance that there exists one or more feasible methods (including relocation advisory assistance) for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway.*

(c) *The Secretary shall approve, as a part of the cost of construction of a project on any of the Federal-aid highway systems, such relocation payments as may be made by a State highway department, or a local public agency acting as an agent for the State highway department for this purpose, to eligible persons for their reasonable and necessary moving expenses caused by their displacement from real property acquired for such project. However, the Secretary shall not require a State to pay relocation payments where not authorized by State law.*

(d) *Payments under this section shall be subject to such rules and regulations as may be prescribed by the Secretary, and shall not exceed \$200 in the case of an individual or family, or \$3,000 in the case of a business concern (including the operation of a farm) or nonprofit organization. In the case of a business (including the operation of a farm) and in the case of a nonprofit organization, the allowable expenses for transportation under this subsection shall not exceed the cost of moving 50 miles from the point from which such business or organization is being displaced. Such rules and regulations may include provisions authorizing reimbursement for payments made to individuals and families of fixed amounts (not to exceed \$200 in any case) in lieu of their respective reasonable and necessary moving expenses.*

(e) *This section shall apply only with respect to projects approved under section 106 of this title after the date of enactment of this section.*

§ 134. Transportation planning in certain urban areas

It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly

coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section.

CHAPTER 2—OTHER HIGHWAYS

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§ 201. Authorizations

The provisions of this title shall apply to all unappropriated authorizations contained in prior Acts, and also to all unexpended appropriations heretofore made, providing for the expenditure of Federal funds on the following classes of highways: Forest highways, forest development roads and trails, park roads and trails, parkways, Indian reservation roads, public lands highways, and defense access roads. All such authorizations and appropriations shall continue in full force and effect, but hereafter obligations entered into and expenditures made pursuant thereto shall be subject to the provisions of this title.

§ 202. Apportionment or allocation

(a) On or before January 1 next preceding the commencement of each fiscal year, the Secretary shall apportion the sums authorized to be appropriated for such fiscal year for forest highways in the several States, according to the area and value of the land owned by the United States within the national forests therein, which the Secretary of Agriculture is directed to determine and certify to the Secretary from such information, sources, and departments as the Secretary of Agriculture may deem most accurate.

(b) Sums authorized to be appropriated for forest development roads and trails shall be allocated by the Secretary of Agriculture according to the relative needs of the various national forests, taking into consideration the existing transportation facilities, value of timber or other resources served, relative fire danger, and comparative difficulties of road and trail construction.

(c) Sums authorized to be appropriated for public lands highways shall be allocated by the Secretary among those States having unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations, on the basis of need in such States, respectively, as determined by the Secretary upon application of the State

highway departments of the respective States. Preference shall be given to those projects which are located on a Federal-aid system.

§ 203. Availability of funds

Funds authorized for forest highways, forest development roads and trails, *public lands development roads and trails*, park roads and trails, parkways, Indian reservation roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than one year preceding the beginning of the fiscal year for which authorized if no apportionment is required. Any amount remaining unexpended for a period of two years after the close of the fiscal year for which authorized shall lapse. The Secretary of the Department charged with the administration of such funds is granted authority to incur obligations, approve projects, and enter into contracts under such authorizations and his action in doing so shall be deemed a contractual obligation of the United States for the payment of the cost thereof and such funds shall be deemed to have been expended when so obligated. Any funds heretofore or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, *public lands development roads and trails*, park roads and trails, parkways, Indian roads, and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorizations shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

§ 204. Forest highways

(a) Funds available for forest highways shall be used by the Secretary to pay for the cost of construction and maintenance thereof. In connection therewith, the Secretary may enter into construction contracts and such other contracts with a State, or civil subdivision thereof as he deems advisable.

(b) Cooperation of States, counties, or other local subdivisions, may be accepted but shall not be required by the Secretary.

(c) Construction estimated to cost \$5,000 or more per mile, exclusive of bridges, shall be advertised and let to contract. If such estimated cost is less than \$5,000 per mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary on his own account. For such purpose, the Secretary may purchase, lease, hire, rent, or otherwise obtain all necessary supplies, materials, tools, equipment, and facilities required to perform the work, and may pay wages, salaries, and other expenses for help employed in connection with such work.

(d) All appropriations for forest highways shall be administered in conformity with regulations jointly approved by the Secretary and the Secretary of Agriculture.

(e) The Secretary shall transfer to the Secretary of Agriculture from appropriations for forest highways such amounts as may be needed to cover necessary administrative expenses of the Forest Service in connection with the forest-highway program.

(f) Funds available for forest highways shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.

§ 205. Forest development roads and trails

(a) Funds available for forest development roads and trails shall be used by the Secretary of Agriculture to pay for the cost of construction and maintenance thereof, including roads and trails, on experimental areas under Forest Service administration. In connection therewith, the Secretary of Agriculture may enter into contracts with a State or civil subdivision thereof, and issue such regulations as he deems advisable.

(b) Cooperation of States, counties, or other local subdivisions may be accepted but shall not be required by the Secretary of Agriculture.

(c) Construction estimated to cost \$10,000 or more per mile, exclusive of bridges, shall be advertised and let to contract. If such estimated cost is less than \$10,000 per mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account. For such purpose, the Secretary of Agriculture may purchase, lease, hire, rent, or otherwise obtain all necessary supplies, materials, tools, equipment, and facilities required to perform the work, and may pay wages, salaries, and other expenses for help employed in connection with such work.

(d) Funds available for forest development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.

§ 206. Park roads and trails

(a) Funds available for park roads and trails shall be used to pay for the cost of construction and improvement thereof.

(b) Appropriations for the construction and improvement of park roads shall be administered in conformity with regulations jointly approved by the Secretary and the Secretary of the Interior.

§ 207. Parkways

(a) Funds available for parkways shall be used to pay for the cost of construction and improvement thereof.

(b) Appropriations for the construction of parkways shall be administered in conformity with regulations jointly approved by the Secretary and the Secretary of the Interior.

(c) The location of parkways upon public lands, national forests, or other Federal reservations, shall be determined by agreement between the department having jurisdiction over such lands and the Secretary of the Interior.

§ 208. Indian reservation roads

(a) Funds available for Indian reservation roads and bridges shall be used to pay for the cost of construction and improvement thereof.

(b) The Secretary shall approve the location, type, and design of all projects for Indian reservation roads and bridges before any expenditures are made thereon and all construction thereof shall be under the general supervision of the Secretary.

(c) Indian labor may be employed in such construction and improvement under such rules and regulations as may be prescribed by the Secretary of the Interior.

(d) Cooperation of States, counties, or other local subdivisions may be accepted in such construction and improvement, and any funds, received from a State, county, or local subdivision shall be

credited to appropriations available for Indian reservation roads and bridges.

§ 209. Public lands highways

(a) Funds available for public lands highways shall be used by the Secretary to pay for the cost of construction and maintenance thereof.

(b) The Secretary is authorized to cooperate with the State highway departments and with the Secretary of the Department having jurisdiction over the particular lands, in the survey, construction, and maintenance of public lands highways.

(c) The provisions of section 112 of this title are applicable to public lands highways.

§ 210. Defense access roads

(a) The Secretary is authorized, out of the funds appropriated for defense access roads, to provide for the construction and maintenance of defense access roads (including bridges, tubes, and tunnels thereon) to military reservations, to defense industries and defense industry sites, and to the sources of raw materials when such roads are certified to the Secretary as important to the national defense by the Secretary of Defense or such other official as the President may designate, and for replacing existing highways and highway connections that are shut off from the general public use by necessary closures or restrictions at military reservations and defense industry sites.

(b) Funds appropriated for the purposes of this section shall be available, without regard to apportionment among the several States, for paying all or any part of the cost of the construction and maintenance of defense access roads.

(c) Not exceeding \$5,000,000 of any funds appropriated under the Act approved October 16, 1951 (65 Stat. 422), may be used by the Secretary in areas certified to him by the Secretary of Defense as maneuver areas for such construction, maintenance, and repair work as may be necessary to keep the highways therein, which have been or may be used for training of the Armed Forces, in suitable condition for such training purposes and for repairing the damage caused to such highways by the operations of men and equipment in such training.

(d) Whenever any project for the construction of a circumferential highway around a city or of a radial intracity route thereto submitted by any State is certified by the Secretary of Defense, or such other official as the President may designate, as being important for civilian or military defense, such project may be constructed out of the funds heretofore or hereafter authorized to be appropriated for defense access roads.

(e) If the Secretary shall determine that the State highway department of any State is unable to obtain possession and the right to enter upon and use the required rights-of-way, lands, or interest in lands, improved or unimproved, required for any project authorized by this section with sufficient promptness, the Secretary is authorized to acquire, enter upon, take possession thereof, and expend funds for projects thereon, prior to approval of title by the Attorney General, in the name of the United States, such rights-of-way, lands, or interest in lands as may be required in such State for such projects by purchase, donation, condemnation, or otherwise in accordance with the laws of the United States (including the Act of February 26, 1931;

46 Stat. 1421). The cost incurred by the Secretary in acquiring any such rights-of-way, lands, or interest in lands may include the cost of examination and abstract of title, certificate of title, advertising, and any fees incidental to such acquisition; and shall be payable out of the funds available for paying the cost or the Federal share of the cost of the project for which such rights-of-way, lands, or interests in lands are acquired. The Secretary is further authorized and directed by proper deed executed in the name of the United States to convey any lands or interests in lands acquired in any State under the provisions of prior Acts or of this section to the State highway department of such State or to such political subdivision thereof as its laws may provide, upon such terms and conditions as may be agreed upon by the Secretary and the State highway department, or political subdivisions to which the conveyance is to be made.

(f) The provisions of section 112 of this title are applicable to defense access roads.

(g) If the Secretary shall determine that it is necessary for the expeditious completion of any defense access road project he may advance to any State out of funds appropriated for defense access roads transferred and available to the Department of Commerce the Federal share of the cost of construction thereof to enable the State highway department to make prompt payments for acquisition of rights-of-way, and for the construction as it progresses. The sums so advanced shall be deposited in a special fund by the State official authorized by State law to receive such funds, to be disbursed solely upon vouchers approved by the State highway department for rights-of-way which have been or are being acquired and for construction which has been actually performed under this section. Upon determination by the Secretary that funds advanced to any State under the provisions of this subsection are no longer required, the amount of the advance which is determined to be in excess of requirements for the project shall be repaid upon his demand, and such repayments shall be returned to the credit of the appropriation from which the funds were advanced.

(h) Funds appropriated for the purposes of this section shall be available to pay the cost of repairing damage caused to highways by the operation of vehicles and equipment in the construction of classified military installations and facilities for ballistic missiles if the Secretary shall determine that the State highway department of any State is, or has been, unable to prevent such damage by restrictions upon the use of such highways without interference with, or delay in, the completion of a contract for the construction of such military reservations or installations. This subsection shall apply notwithstanding any provision of contract holding a party thereto responsible for such damage, if the Secretary of Defense or his designee shall determine, in fact, that construction estimates and the bid of such party did not include allowance for repairing such damage. This subsection shall apply to damage caused by construction work commenced prior to June 1, 1961, and still in progress on that date and construction work which is commenced or for which a contract is awarded on or after June 1, 1961.

§ 211. Timber access road hearings

With respect to any proposed construction of a timber access road from funds authorized for carrying out the provisions of sections 204,

205, and 210 of this title, advisory public hearings may be held at a place of ² convenient or adjacent to the area of construction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction.

§ 212. Inter-American Highway

(a) Funds appropriated for the Inter-American Highway shall be used to enable the United States to cooperate with the Governments of the American Republics situated in Central America—that is, with the Governments of the Republic of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama—in the survey and construction of the Inter-American Highway within the borders of the aforesaid Republics, respectively. Not to exceed one-third of the appropriation authorized for each fiscal year may be expended without requiring the country or countries in which such funds may be expended to match any part thereof, if the Secretary of State shall find that the cost of constructing said highway in such country or countries will be beyond their reasonable capacity to bear. The remainder of such authorized appropriations shall be available for expenditure only when matched to the extent required by this section by the country in which such expenditure may be made. Expenditures from the funds available on a matching basis shall not be made for the survey and construction of any portion of said highway within the borders of any country named herein unless such country shall provide and make available for expenditure in conjunction therewith a sum equal to at least one-third of the expenditures that may be incurred by that Government and the United States on such portion of the highway. All expenditures by the United States under the provisions of this section for material, equipment, and supplies shall, whenever practicable, be made for products of the United States or of the country in which such survey or construction work is being carried on. Construction work to be performed under contract shall be advertised for a reasonable period by the Minister of Public Works, or other similar official, of the government concerned in each of the participating countries and contracts shall be awarded pursuant to such advertisements with the approval of the Secretary. No part of the appropriations authorized shall be available for obligation or expenditure for work on said highway in any cooperating country unless the government of said country shall have assented to the provisions of this section; shall have furnished satisfactory assurances that it has an organization adequately qualified to administer the functions required of such country under the provisions hereof; and then only as such country may submit requests, from time to time, for the construction of any portion of the highway to standards adequate to meet present and future traffic needs. No part of said appropriations shall be available for obligation or expenditure in any such country until the government of that country shall have entered into an agreement with the United States which shall provide, in part, that said country—

(1) will provide, without participation of funds authorized, all necessary rights-of-way for the construction of said highway, which rights-of-way shall be of a minimum width where practicable of one hundred meters in rural areas and fifty meters

² So in original.

in municipalities and shall forever be held inviolate as a part of the highway for public use;

(2) will not impose any highway toll, or permit any such toll to be charged, for use by vehicles or persons of any portion of said highway constructed under the provisions of this section;

(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of said highway by vehicles or persons from the United States that does not apply equally to vehicles or persons of such country;

(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with the provisions of the Convention for the Regulation of Inter-American Automotive Traffic, which was opened for signature at the Pan American Union in Washington on December 15, 1943, and to which such country and the United States are parties, or of any other treaty or international convention establishing similar reciprocal recognition; and

(5) will provide for the maintenance of said highway after its completion in condition adequately to serve the needs of present and future traffic.

(b) The survey and construction work authorized by this section shall be under the administration of the Secretary, who shall consult with the appropriate officials of the Department of State with respect to matters involving the foreign relations of this Government, and such negotiations with the Governments of the American Republics named in subsection (a) of this section as may be required to carry out the purposes of this section shall be conducted through, or as authorized by, the Department of State.

(c) The provisions of this section shall not create nor authorize the creation of any obligations on the part of the Government of the United States with respect to any expenditures for highway construction or survey heretofore or hereafter undertaken in any of the countries enumerated in subsection (a) of this section, other than the expenditures authorized by the provisions of this section.

(d) Appropriations made pursuant to any authorizations heretofore, or hereafter enacted for the Inter-American Highway shall be considered available for expenditure by the Secretary for necessary administrative and engineering expenses in connection with the Inter-American Highway program.

§ 213. Rama Road

(a) Recognizing the mutual benefits that will accrue to the Republic of Nicaragua and to the United States from the completion of the road from San Benito to Rama in said Republic of Nicaragua, the construction of which road was begun and partially completed pursuant to an agreement between said Republic and the United States, the Secretary is authorized out of the funds appropriated for such purposes to provide for the construction of such road. Appropriations made for such purposes shall remain available until expended. No expenditure shall be made hereunder for the construction of said road until a request therefor shall have been received by the Secretary of State from the Government of the Republic of Nicaragua nor until an agreement shall have been entered into by said Republic

with the Secretary of State which shall provide, in part, that said Republic—

(1) will provide, without participation of funds authorized under this title, or under prior Acts, all necessary right-of-way for the construction of said highway, which right-of-way shall be of a minimum width, where practicable, of one hundred meters in rural areas and fifty meters in municipalities and shall forever be held inviolate as a part of the highway for public use;

(2) will not impose any highway toll, or permit any such toll to be charged for the use of said highway by vehicles or persons;

(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of said road by vehicles or persons from the United States that does not apply equally to vehicles or persons of such Republic;

(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with the provisions of the Convention for the Regulation of Inter-American Automotive Traffic, which was opened for signature at the Pan American Union in Washington on December 15, 1943, and to which such Republic and the United States are parties; or any other treaty or international convention establishing similar reciprocal recognition; and

(5) will maintain said road after its completion in proper condition adequately to serve the needs of present and future traffic.

(b) The funds appropriated for such purposes shall be available for expenditure in accordance with the terms of this section for the survey and construction of said road from San Benito to Rama in the Republic of Nicaragua without being matched by said Republic, and all expenditures made under the provisions of this section for materials, equipment, and supplies, shall, whenever practicable, be made for products of the United States or of the Republic of Nicaragua.

(c) The survey and construction work undertaken pursuant to this section shall be under the general supervision of the Secretary.

§ 214. Public lands development roads and trails

(a) *Funds available for public lands development roads and trails shall be used to pay the cost of construction and improvement of such roads and trails.*

(b) *Funds available for public lands development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.*

(c) *The Secretary shall approve the location, type, and design of all projects for public lands development roads and trails before any expenditures are made thereon and all construction thereof shall be under the general supervision of the Secretary.*

CHAPTER 3. GENERAL PROVISIONS

Sec.

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§ 301. Freedom from tolls

Except as provided in section 129 of this title with respect to certain toll bridges and toll tunnels, all highways constructed under the provisions of this title shall be free from tolls of all kinds.

§ 302. State highway department

(a) Any State desiring to avail itself of the provisions of this title shall have a State highway department which shall have adequate powers, and be suitably equipped and organized to discharge to the satisfaction of the Secretary the duties required by this title. Among other things, the organization shall include a secondary road unit.

(b) The State highway department may arrange with a county or group of counties for competent highway engineering personnel suitably organized and equipped to the satisfaction of the State highway department, to supervise construction and maintenance on a county-unit or group-unit basis, for the construction of projects on the Federal-aid secondary system, financed with secondary funds, and for the maintenance thereof.

§ 303. Bureau organization

(a) The Bureau of Public Roads shall be in the Department of Commerce as a primary unit administered by the Federal Highway Administrator, appointed by the President by and with the advice and consent of the Senate. The Administrator shall receive basic compensation at the rate prescribed by law for Assistant Secretaries of executive departments and shall perform such duties as the Secretary of Commerce may prescribe or as may be required by law. There shall be a Deputy Federal Highway Administrator, who shall be appointed by the Secretary and perform such duties as may be prescribed by the Federal Highway Administrator. The Deputy Federal Highway Administrator shall receive basic compensation at a rate of \$1,000 less than the rate provided for the Federal Highway Administrator.

(b) The Secretary is authorized to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to be taken from the eligible lists of the Civil Service Commission, to rent buildings outside of the city of Washington, to purchase such supplies, material, equipment, office fixtures and apparatus, to advertise in the city of Washington for work to be performed in areas adjacent thereto, and to incur, and authorize the incurring of, such travel and other expenses as he may deem necessary for carrying out the functions under this title.

(c) The Secretary is authorized to procure temporary services in accordance with the provisions of section 15 of the Act of August 2,

1946 (5 U.S.C. 55a), but at rates for individuals not in excess of \$100 per diem.

§ 304. Participation by small business enterprises

It is declared to be in the national interest to encourage and develop the actual and potential capacity of small business and to utilize this important segment of our economy to the fullest practicable extent in construction of the Federal-aid highway systems, including the Interstate System. In order to carry out that intent and encourage full and free competition, the Secretary should assist, insofar as feasible, small business enterprises in obtaining contracts in connection with the prosecution of the highway program.

§ 305. Archeological and paleontological salvage

Funds authorized to be appropriated to carry out this title to the extent approved as necessary by the highway department of any State, may be used for archeological and paleontological salvage in that State in compliance with the Act entitled "An Act for the preservation of American antiquities", approved June 8, 1906 (34 Stat. 225), and State laws where applicable.

§ 306. Mapping

In carrying out the provisions of this title, the Secretary may, wherever practicable, authorize the use of photogrammetric methods in mapping, and the utilization of commercial enterprise for such services.

§ 307. Research and planning

(a) The Secretary is authorized in his discretion to engage in research on all phases of highway construction, modernization, development, design, maintenance, safety, financing, and traffic conditions, including the effect thereon of State laws and is authorized to test, develop, or assist in the testing and developing of any material, invention, patented article, or process. The Secretary may publish the results of such research. The Secretary may carry out the authority granted hereby, either independently, or in cooperation with any other branch of the Government, State agency, authority, association, institution, corporation (profit or nonprofit), or any other organization, or person. The funds required to carry out the provisions of this subsection shall be taken out of the administrative and research funds authorized by section 104 of this title and such funds as may be deposited in a special account with the Secretary of the Treasury for such purposes by any cooperating organization or person. The provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), shall not be applicable to contracts or agreements made under the authority of this subsection.

(b) The Secretary shall include in the highway research program herein authorized studies of economic highway geometrics, structures, and desirable weight and size standards for vehicles using the public highways and of the feasibility of uniformity in State regulations with respect to such standards and he shall report from time to time to the Committees on Public Works of the Senate and of the House of Representatives on the progress and findings with respect to such studies.

(c) (1) Not to exceed 1½ per centum of the sums apportioned for [any year] *each fiscal year prior to the fiscal year 1964* to any State

under section 104 of this title shall be available for expenditure upon request of the State highway department, with the approval of the Secretary, with or without State funds, for engineering and economic surveys and investigations, for the planning of future highway programs and the financing thereof, for studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof, and for research necessary in connection with the planning, design, construction, and maintenance of highways and highway systems, and the regulation and taxation of their use.

(2) *One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.*

(3) *In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraph (1), (2), and (3) of section 104(b) of this title shall be available for expenditure upon request of the State highway department for highway research purposes.*

(4) *Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.*

§ 308. Cooperation with Federal and State agencies and foreign countries

(a) The Secretary is authorized to perform by contract or otherwise, authorized engineering or other services in connection with the survey, construction, maintenance, or improvement of highways for other Government agencies, cooperating foreign countries, and State cooperating agencies, and reimbursement for such services, which may include depreciation on engineering and road-building equipment used, shall be credited to the appropriation concerned.

(b) Appropriations for the work of the Bureau of Public Roads shall be available for expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment for distribution to projects under the supervision of the Bureau of Public Roads, or for sale or distribution to other Government agencies, cooperating foreign countries,⁴ and State cooperating agencies, and the cost of such supplies and materials or the value of such equipment, including the cost of transportation and handling, may be reimbursed to current applicable appropriations.

§ 309. Cooperation with other American Republics

The President is authorized to utilize the services of the Bureau of Public Roads in fulfilling the obligations of the United States under the Convention on the Pan-American Highway Between the United States and Other American Republics (51 Stat. 152), cooperating with several governments, members of the Organization of American States, in connection with the survey and construction of the Inter-American Highway, and for performing engineering service in the other American Republics for and upon the request of any agency or governmental corporation of the United States. To the extent authorized in appropriation acts, administrative funds available in accord-

ance with subsection (a) of section 104 of this title shall be available annually for the purpose of this section.

§ 310. Civil defense

In order to assure that adequate consideration is given to civil defense aspects in the planning and construction of highways constructed or reconstructed with the aid of Federal funds, the Secretary of Commerce is authorized and directed to consult, from time to time, with the Federal Civil Defense Administrator relative to the civil defense aspects of highways so constructed or reconstructed.

§ 311. Highway improvements strategically important to the national defense

Funds made available under subsection (a) of section 104 of this title may be used to pay the entire engineering costs of the surveys, plans, specifications, estimates, and supervision of construction of projects for such urgent improvements of highways strategically important from the standpoint of the national defense as may be undertaken on the order of the Secretary and as the result of request of the Secretary of Defense or such other official as the President may designate. With the consent of a State, funds made available under subsection (b) of section 104 of this title may be used to the extent deemed necessary and advisable by the Secretary to carry out the provisions of this section.

§ 312. Detail of Army, Navy, and Air Force officers

The Secretary of Defense, upon request of the Secretary, is authorized to make temporary details to the Bureau of Public Roads of officers of the Army, the Navy, and the Air Force, without additional compensation, for technical advice and for consultation regarding highway needs for the national defense. Travel and subsistence expenses of officers so detailed shall be paid from appropriations available to the Department of Commerce on the same basis as authorized by law and by regulations of the Department of Defense for such officers.

§ 313. Highway Safety Conference

The Secretary is authorized and directed to assist in carrying out the action program of the President on highway safety, and to cooperate with the State highway departments and other agencies in this program to advance the cause of safety on highways. Not to exceed \$150,000 out of the administrative funds made available in accordance with subsection (a) of section 104 of this title may be expended annually for the purposes of this section.

§ 314. Relief of employees in hazardous work

The Secretary is authorized in an emergency to use appropriations to the Department of Commerce for carrying out the provisions of this title for medical supplies, services, and other assistance necessary for the immediate relief of employees of the Bureau of Public Roads engaged in hazardous work.

§ 315. Rules, regulations, and recommendations

Except as provided in sections 204(d), 205(a), 206(b), 207(b), and 208(c) of this title, the Secretary is authorized to prescribe and promulgate all needful rules and regulations for the carrying out of the provisions of this title. The Secretary may make such recom-

mendations to the Congress and State highway departments as he deems necessary for preserving and protecting the highways and insuring the safety of traffic thereon.

§ 316. Consent by United States to conveyance of property

For the purposes of this title the consent of the United States is given to any railroad or canal company to convey to the State highway department of any State, or its nominee, any part of its right-of-way or other property in that State acquired by grant from the United States.

§ 317. Appropriation for highway purposes of lands or interests in lands owned by the United States

(a) If the Secretary determines that any part of the lands or interests in lands owned by the United States is reasonably necessary for the right-of-way of any highway, or as a source of materials for the construction or maintenance of any such highway adjacent to such lands or interests in lands, the Secretary shall file with the Secretary of the Department supervising the administration of such lands or interests in lands a map showing the portion of such lands or interests in lands which it is desired to appropriate.

(b) If within a period of four months after such filing, the Secretary of such Department shall not have certified to the Secretary that the proposed appropriation of such land or material is contrary to the public interest or inconsistent with the purposes for which such land or materials have been reserved, or shall have agreed to the appropriation and transfer under conditions which he deems necessary for the adequate protection and utilization of the reserve, then such land and materials may be appropriated and transferred to the State highway department, or its nominee, for such purposes and subject to the conditions so specified.

(c) If at any time the need for any such lands or materials for such purposes shall no longer exist, notice of the fact shall be given by the State highway department to the Secretary and such lands or materials shall immediately revert to the control of the Secretary of the Department from which they had been appropriated.

(d) The provisions of this section shall apply only to projects constructed on a Federal-aid system or under the provisions of chapter 2 of this title.

§ 318. Highway relocation due to airport

Federal highway funds shall not be used for the reconstruction or relocation of any highway giving access to an airport constructed or extended after December 20, 1944, or for the reconstruction or relocation of any highway which has been or may be closed or the usefulness of which has been or may be impaired by the location or construction of any airport constructed or extended after December 20, 1944, unless, prior to such construction or extension, as the case may be, the State highway department and the Secretary have concurred with the officials in charge of the airport that the location of such airport or extension thereof and the consequent reconstruction or relocation of the highway are in the public interest.

§ 319. Landscaping

The construction of highways by the States with funds apportioned in accordance with section 104 of this title may include such roadside

and landscape development, including such sanitary and other facilities as may be deemed reasonably necessary to provide for the suitable accommodation of the public, all within the highway right-of-way and adjacent publicly owned or controlled rest and recreational areas of limited size and with provision for convenient and safe access thereto by pedestrian and vehicular traffic, as may be approved by the Secretary. Such construction likewise may include the purchase of such adjacent strips of land of limited width and primary importance for the preservation of the natural beauty through which highways are constructed, as may be approved by the Secretary. Not to exceed 3 per centum of such sums, apportioned to a State in any fiscal year in accordance with section 104 of this title may be used by it for the purchase of such adjacent strips of land without being matched by such State.

§ 320. Bridges on Federal dams

(a) Each executive department, independent establishment, office, board, bureau, commission, authority, administration, corporation wholly owned or controlled by the United States, or other agency of the Government of the United States, hereinafter collectively and individually referred to as "agency", which on or after July 29, 1946, has jurisdiction over and custody of any dam constructed or to be constructed and owned by or for the United States, is authorized, with any funds available to it, to design and construct any such dam in such manner that it will constitute and serve as a suitable and adequate foundation to support a public highway bridge upon and across such dam, and to design and construct upon the foundation thus provided a public highway bridge upon and across such dam. The highway department of the State in which such dam shall be located, jointly with the Secretary, shall first determine and certify to such agency that such bridge is economically desirable and needed as a link in the State or Federal-aid highway systems, and shall request such agency to design and construct such dam so that it will serve as a suitable and adequate foundation for a public highway bridge and to design and construct such public highway bridge upon and across such dam, and shall agree to reimburse such agency pursuant to subsection (d) of this section for any additional costs which it may be required to incur because of the design and construction of such dam so that it will serve as a foundation for a public highway bridge and for expenditures which it may find it necessary to make in designing and constructing such public highway bridge upon and across such dam. In no case shall the design and construction of a bridge upon and across such dam be undertaken hereunder except by the agency having jurisdiction over and custody of the dam, acting directly or through contractors employed by it, and after such agency shall determine that it will be structurally feasible and will not interfere with the proper functioning and operation of the dam.

(b) Construction of any bridge upon and across any dam pursuant to this section shall not be commenced unless and until the State in such State, shall enter into an agreement with such agency and with which such bridge is to be located,³ or the appropriate subdivision of the Secretary to construct, or cause to be constructed, with or without the aid of Federal funds, the approach roads necessary to connect

³ So in original.

such bridge with existing public highways and to maintain, or cause to be maintained, such approach roads from and after their completion. Such agreement may also provide for the design and construction of such bridge upon and across the dam by such agency of the United States and for reimbursing such agency the costs incurred by it in the design and construction of the bridge as provided in subsection (d) of this section. Any such agency is hereby authorized to convey to the State, or to the appropriate subdivision thereof, without costs, such easements and rights-of-way in its custody or over lands of the United States in its custody and control as may be necessary, convenient, or proper for the location, construction, and maintenance of the approach roads referred to in this section including such roadside parks or recreational areas of limited size as may be deemed necessary for the accommodation of the traveling public. Any bridge constructed pursuant to this section upon and across a dam in the custody and jurisdiction of any agency of the United States, including such portion thereof, if any, as may extend beyond the physical limits of the dam, shall constitute and remain a part of said dam and be maintained by the agency. Any such agency may enter into any such contracts and agreements with the State or its subdivisions respecting public use of any bridge so located and constructed as may be deemed appropriate, but no such bridge shall be closed to public use by the agency except in cases of emergency or when deemed necessary in the interest of national security.

(c) All costs and expenses incurred and expenditures made by any agency in the exercise of the powers and authority conferred by this section (but not including any costs, expenses, or expenditures which would have been required in any event to satisfy a legal road or bridge relocation obligation or to meet operating or other agency needs) shall be recorded and kept separate and apart from the other costs, expenses, and expenditures of such agency, and no portion thereof shall be charged or allocated to flood control, navigation, irrigation, fertilizer production, the national defense, the development of power, or other program, purpose, or function of such agency.

(d) Not to exceed \$13,000,000 of any money heretofore or hereafter appropriated for expenditure in accordance with the provisions of this title or prior Acts shall be available for expenditure by the Secretary in accordance with the provisions of this section, as an emergency fund, to reimburse any agency for any additional costs or expenditures which it may be required to incur because of the design and construction of any such dam so that it will constitute and serve as a foundation for a public highway bridge upon and across such dam and to reimburse any such agency for any costs, expenses, or expenditures which it may be required to make in designing and constructing any such bridge upon and across a dam in accordance with the provisions of this section, except such costs, expenses, or expenditures as would have been required of such agency in any event to satisfy a legal obligation to relocate a highway or bridge or to meet operating or other agency needs, and there is authorized to be appropriated any sum or sums necessary to reimburse the funds so expended by the Secretary from time to time under the authority of this section. Of each bridge constructed upon and across a dam under the provisions of this section, there may be financed wholly with Federal funds that portion thereof which is located within the physical limits of the masonry structure, or structures, of the dam, and

the Secretary shall in his sole discretion determine what additional portion of the bridge, if any, may be so financed, such determination to be final and conclusive. The remainder of the bridge, and any necessary related approach roads, shall be financed by the State or its appropriate subdivision with or without the aid of Federal funds; but said portion of the bridge so financed by the State or its subdivisions, including such portion thereof, if any, as may extend beyond the physical limits of the dam, shall nevertheless be designed and constructed solely by the agency having custody and jurisdiction of the dam as provided in subsection (a) of this section.

(e) In making, reviewing, or approving the design of any bridge or approach structure to be constructed under this section, the agency shall, in matters relating to roadway design, loadings, clearances and widths, and traffic safeguards, give full consideration to and be guided by the standards and advice of the Secretary.

(f) The authority conferred by this section shall be in addition to and not in limitation of authority conferred upon any agency by any other law, and nothing in this section contained shall affect or be deemed to relate to any bridge, approach structure, or highway constructed or to be constructed by any such agency in furtherance of its lawful purposes and requirements or to satisfy a legal obligation incurred independently of this section.

○

Calendar No. 1958

87TH CONGRESS
2D SESSION

H. R. 12135

[Report No. 1997]

IN THE SENATE OF THE UNITED STATES

JULY 19, 1962

Read twice and referred to the Committee on Public Works

SEPTEMBER 5, 1962

Reported by Mr. CHAVEZ, with amendments

[Omit the part struck through and insert the part printed in *italic*]

AN ACT

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the “Federal-Aid
5 Highway Act of 1962”.

6 AUTHORIZATIONS

7 SEC. 2. For the purpose of carrying out the provisions
8 of title 23 of the United States Code the following sums
9 are hereby authorized to be appropriated:

I

1 (1) For the Federal-aid primary system and the
2 Federal-aid secondary system and for their extension within
3 urban areas, out of the Highway Trust Fund, \$950,000,000
4 for the fiscal year ending June 30, 1964, and ~~\$975,000,000~~
5 ~~\$950,000,000~~ for the fiscal year ending June 30, 1965.
6 The sums authorized in this paragraph for each fiscal year
7 shall be available for expenditure as follows:

8 (A) 45 per centum for projects on the Federal-aid
9 primary highway system;

10 (B) 30 per centum for projects on the Federal-aid
11 secondary highway system; and

12 (C) 25 per centum for projects on extensions of
13 the Federal-aid primary and Federal-aid secondary high-
14 way systems in urban areas.

15 (2) For forest highways, \$33,000,000 for the fiscal
16 year ending June 30, 1964, and \$33,000,000 for the fiscal
17 year ending June 30, 1965.

18 (3) For forest development roads and trails, an addi-
19 tional ~~\$10,000,000~~ ~~\$20,000,000~~ for the fiscal year ending
20 June 30, 1963, \$70,000,000 for the fiscal year ending
21 June 30, 1964, and \$85,000,000 for the fiscal year ending
22 June 30, 1965.

23 (4) For public lands development roads and trails,
24 \$2,000,000 for the fiscal year ending June 30, 1964, and
25 \$4,000,000 for the fiscal year ending June 30, 1965.

(5) For park roads and trails, \$22,000,000 for the fiscal year ending June 30, 1964, and \$25,000,000 for the fiscal year ending June 30, 1965.

(6) For parkways, ~~\$16,000,000~~ \$16,550,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(7) For Indian reservation roads and bridges, \$16,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

~~(8) For public lands highways, \$3,000,000 for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965.~~

(8) For public lands highways, the additional sum of \$6,000,000 for the fiscal year ending June 30, 1963, and the sum of \$9,000,000 for the fiscal year ending June 30, 1964, and \$9,000,000 for the fiscal year ending June 30, 1965.

THE RAMA ROAD

SEC. 3. That in order to provide for completion of the Rama Road in the Republic of Nicaragua, there is hereby authorized to be appropriated to the Department of State, in addition to the sums heretofore authorized, the sum of \$850,000, to be available until expended, for discharging the United States obligation under the applicable agreement with the Government of Nicaragua: Provided, That the survey and construction work shall be under the general super-

1 vision of the Secretary of Commerce: Provided further,
 2 That funds provided pursuant to this authorization shall
 3 not be available for expenditure except under the conditions
 4 set forth in section 213 of title 23, United States Code,
 5 with respect to the authorization contained in that section:
 6 And provided further, That the funds authorized in this
 7 section shall be available for contract immediately upon the
 8 passage of this Act.

9 *THE INTER-AMERICAN HIGHWAY*

10 *SEC. 4. That, for the purpose of completing the construc-*
 11 *tion of the Inter-American Highway, there is hereby author-*
 12 *ized to be appropriated the additional sum of \$32,000,000*
 13 *to be expended in accordance with the provisions of section 212*
 14 *of title 23 of the United States Code: Provided, That no part*
 15 *of such sum shall be obligated in any country until that*
 16 *country demonstrates, to the satisfaction of the Secretary, that*
 17 *it is capable of and willing to meet its commitment for main-*
 18 *tenance under the agreements entered into pursuant to the*
 19 *provisions of section 212(a)(5) of title 23, United States*
 20 *Code: And provided further, That the funds authorized here-*
 21 *in shall be available for contract immediately upon passage*
 22 *of this Act and compliance with such commitment.*

23 *ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES*

24 *SEC. 3 5. (a) Chapter 1 of title 23 of the United States*
 25 *Code is amended by adding at the end thereof the following*
 26 *new section:*

1 **“§ 133. Relocation assistance**

2 “(a) As used in this section the term ‘eligible person’
3 means any individual, family, business concern (including
4 the operation of a farm), and nonprofit organization to be
5 displaced by construction of a project.

6 “(b) The Secretary, prior to his approval of any project
7 under section 106 of this title for right-of-way acquisition or
8 actual construction, shall require the State highway depart-
9 ment to give satisfactory assurance that relocation advisory
10 assistance shall be provided for the relocation of families
11 displaced by acquisition or clearance of rights-of-way for any
12 Federal-aid highway.

13 “(c) The Secretary shall approve, as a part of the cost
14 of construction of a project on any of the Federal-aid high-
15 way systems, such relocation payments as may be made by
16 a State highway department, or a local public agency act-
17 ing as an agent for the State highway department for this
18 purpose, to eligible persons for their reasonable and neces-
19 sary moving expenses caused by their displacement from
20 real property acquired for such project. However, the
21 Secretary shall not require a State to pay relocation pay-
22 ments where not authorized by State law.

23 “(d) Payments under this section shall be subject to
24 such rules and regulations as may be prescribed by the

1 Secretary, and shall not exceed \$200 in the case of an
 2 individual or family, or \$3,000 in the case of a business con-
 3 cern (including the operation of a farm) or nonprofit or-
 4 ganization. In the case of a business (including the opera-
 5 tion of a farm) and in the case of a nonprofit organization,
 6 the allowable expenses for transportation under this sub-
 7 section shall not exceed the cost of moving 50 miles from the
 8 point from which such business or organization is being dis-
 9 placed. Such rules and regulations may include provisions
 10 authorizing reimbursement for payments made to individuals
 11 and families of fixed amounts (not to exceed \$200 in any
 12 case) in lieu of their respective reasonable and necessary
 13 moving expenses.

14 “(e) This section shall apply only with respect to proj-
 15 ects approved under section 106 of this title after the date
 16 of enactment of this section.”

17 (b) The analysis of chapter 1 of title 23 of the United
 18 States Code is amended by adding at the end thereof the
 19 following:

“133. Relocation assistance.”

20 PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

21 SEC. 4-6. (a) Section 101 of title 23, United States Code,
 22 is amended by inserting immediately after the paragraph
 23 which begins “The term ‘project agreement’ means”, the
 24 following:

1 “The term ‘public lands development roads and trails’
2 means those roads or trails which the Secretary of the In-
3 terior determines are of primary importance for the devel-
4 opment, protection, administration, and utilization of public
5 lands and resources under his control.”

6 (b) Chapter 2 of title 23 of the United States Code is
7 amended by adding at the end thereof the following new
8 section:

9 **“§ 214. Public lands development roads and trails**

10 “(a) Funds available for public lands development
11 roads and trails shall be used to pay the cost of construction
12 and improvement of such roads and trails.

13 “(b) Funds available for public lands development roads
14 and trails shall be available for adjacent vehicular parking
15 areas and for sanitary, water, and fire control facilities.

16 “(c) The Secretary shall approve the location, type,
17 and design of all projects for public lands development roads
18 and trails before any expenditures are made thereon and
19 all construction thereof shall be under the general super-
20 vision of the Secretary.”

21 (c) The analysis of chapter 2 of title 23 is amended by
22 adding at the end thereof the following:

“214. Public lands development roads and trails.”

1 AVAILABILITY OF FUNDS—OTHER HIGHWAYS

2 SEC. 5 7. Section 203 of title 23 of the United States
3 Code is amended by inserting immediately before the phrase
4 “park roads and trails”, at each of the two places it appears
5 in such section, the following: “public lands development
6 roads and trails,”.

7 FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN

8 AREAS

9 SEC. 6 8. (a) The last sentence of subsection (c) of
10 section 103 of title 23, United States Code, is amended to
11 read as follows: "This system may be located both in rural
12 and urban areas, but any extension of the system into urban
13 areas shall be subject to the condition that such extension
14 pass through the urban area or connect with another Federal-
15 aid system within the urban area."

(b) The amendment made by subsection (a) of this section shall apply to apportionments made before as well as after the date of enactment of this Act.

19 TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

SEC. 7 9. (a) Chapter 1 of title 23, United States Code,
is amended by adding immediately following section 133 the
following new section:

23 “§ 134. Transportation planning in certain urban areas

24 “It is declared to be in the national interest to encourage
25 and promote the development of transportation systems,

1 embracing various modes of transport in a manner that
 2 will serve the States and local communities efficiently and
 3 effectively. To accomplish this objective the Secretary shall
 4 cooperate with the States, as authorized in this title, in the
 5 development of long-range highway plans and programs
 6 which are properly coordinated with plans for improvements
 7 in other affected forms of transportation and which are for-
 8 mulated with due consideration to their probable effect on
 9 the future development of urban areas of more than fifty
 10 thousand population. After July 1, 1965, the Secretary
 11 shall not approve under section 105 of this title any program
 12 for projects in any urban area of more than fifty thousand
 13 population unless he finds that such projects are based on a
 14 continuing comprehensive transportation planning process
 15 carried on cooperatively by States and local communities in
 16 conformance with the objectives stated in this section.”

17 (b) The analysis of chapter 1 of title 23, United States
 18 Code, is amended by adding at the end thereof the following:

“134. Transportation planning in certain urban areas.”

19 **RURAL DELIVERY AND STAR ROUTE MILEAGE**

20 **SEC. 8 10.** (a) Subsection (b) (1) of section 104 of
 21 title 23 of the United States Code is amended by striking out
 22 “preceding fiscal year” and inserting in lieu thereof “pre-
 23 ceding calendar year”.

1 (b) The amendments made by subsection (a) of this
 2 section shall be applicable only with respect to apportion-
 3 ments made after the date of enactment of this Act.

4 HIGHWAY PLANNING AND RESEARCH FUNDS

5 SEC. 9 11. Subsection (c) of section 307 of title 23 of
 6 the United States Code is amended by inserting “(1)” im-
 7 mediately after “(c)”, by striking out “any year” and in-
 8 serting in lieu thereof “each fiscal year prior to the fiscal
 9 year 1964”, and by adding at the end thereof the following:

10 “(2) One and one-half per centum of the sums appor-
 11 tioned for each fiscal year beginning with the fiscal year
 12 1964 to any State under section 104 of this title shall be
 13 available for expenditure by the State highway department
 14 only for the purposes enumerated in paragraph (1) of this
 15 subsection.

16 “(3) In addition to the percentage provided in para-
 17 graph (2) of this subsection, not to exceed one-half of 1
 18 per centum of sums apportioned for each fiscal year begin-
 19 ning with the fiscal year 1964 under paragraphs (1), (2),
 20 and (3) of section 104 (b) of this title shall be available for
 21 expenditure upon request of the State highway department
 22 for the purposes enumerated in paragraph ~~(1)~~ of this sub-
 23 section *highway research purposes*.

24 “(4) Sums made available under paragraphs (2) and
 25 (3) of this subsection shall be matched by the State in ac-

1 cordance with section 120 of this title unless the Secretary
2 determines that the interests of the Federal-aid highway pro-
3 gram would be best served without such matching.”

4 DEFINITIONS

5 SEC. 40 12. For the purposes of section 2 of this Act
6 each of the following terms shall have the same meaning as is
7 given it in section 101 of title 23 of the United States Code:

- 8 (1) Forest development roads and trails;
9 (2) Forest highway;
10 (3) Indian reservation roads and bridges;
11 (4) Park roads and trails;
12 (5) Parkway;
13 (6) Public lands highways;
14 (7) Federal-aid primary system;
15 (8) Federal-aid secondary system;
16 (9) Urban area;
17 (10) Public lands development roads and trails.

Passed the House of Representatives July 18, 1962.

Attest:

RALPH R. ROBERTS,

Clerk.

87TH CONGRESS
2^D Session

H. R. 12135

[Report No. 1997]

AN ACT

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

JULY 19, 1962

Read twice and referred to the Committee on Public Works

SEPTEMBER 5, 1962

Reported with amendments

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued Oct. 5, 1962
For actions of Oct. 4, 1962
87th-2d, No. 181

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HIGHLIGHTS: Senate passed USDA appropriation continuation measure for fiscal year 1963. Both Houses agreed to conference report on foreign trade bill. House insisted on amendments in disagreement on agricultural appropriation bill. Senate agreed to conference report on pay bill. Sen. Russell objected to consideration of supplemental appropriation bill. Senate passed roads bill. Sen. Morse commended Secretary Freeman's speech on forestry. Senate passed public works authorization bill. Senate received International Coffee Agreement. House passed bill for holding World Food Congress. Rep. Wilson, Ind., commended ASC committeemen. House agreed to conference report on school lunch fund apportionment bill. Sen. Mansfield and Rep. Cooley reviewed legislative accomplishments in farm legislation.

SENATE

1. **AGRICULTURAL APPROPRIATIONS.** Passed without amendment S. J. Res. 234, an appropriation continuation measure for this Department authorizing appropriations for fiscal year 1963 for "projects or activities which were conducted in the fiscal year 1962 by the Department of Agriculture, including the corporations therein, and the Farm Credit Administration, at a rate for operations not in excess of the current rate (amount appropriated or authorized to be expended in the fiscal year 1962) or the rate provided for in the budget estimate (amount estimated to be appropriated or estimated to be expended in the fiscal year 1963) whichever is lower, except that the 1963 Agricultural Conservation Program shall not exceed \$250,000,000." Sen. Russell stated,

"I think it is prudent that the Senate pass the continuing resolution at this time, in the eventuality that it is impossible for the conferees to reach agreement on the regular appropriation bill." This measure had been reported by the Appropriations Committee earlier in the day (S. Rept. 2277). pp. 21014-5

2. FOREIGN TRADE. Both Houses agreed to the conference report on H. R. 11970, the foreign trade bill (by a vote of 256 to 91 in the House; no record vote in the Senate) (pp. 20997-21003, 21097-125). This bill will now be sent to the President. The conferees agreed to an amendment requiring the President to impose duties or other import restrictions on the products of any foreign country establishing and maintaining foreign import restrictions against U.S. agricultural products, notwithstanding any provision of any trade agreement under the bill and to the extent he deems necessary and appropriate, in order to prevent the establishment or obtain the removal of foreign import restrictions and to provide access of U. S. agricultural products to the markets of such foreign country. Also, agreed to an amendment of the Senate providing that Sec. 22 of the Agricultural Adjustment Act and import restrictions imposed thereunder shall be unaffected by this bill.
3. PERSONNEL. Agreed to the second conference report on H. R. 9727, the Federal pay and postal-rate increase bill, ^{after the bill} had been returned to conference earlier for further consideration (pp. 21017-20, 21053). The conferees struck out a provision in the bill which would have provided that retirement increases for retired employees could be paid out of the civil service retirement fund notwithstanding the provisions of Public Law 85-844.
Passed without amendment S. 3459, to authorize the appointment of one additional Secretary of State. p. 21057
The Post Office and Civil Service ^{Committee} voted to report (but did not actually report) H. R. 5698, to extend the apportionment requirement of the Civil Service Act to temporary summer employment. p. D939
4. SUPPLEMENTAL APPROPRIATIONS. Sen. Russell objected to the second reading of H. R. 13290, the supplemental appropriation bill for 1963, thus delaying consideration of the bill for one day (p. 20956). The Appropriations Committee voted to report this bill earlier in the day (p. D939).
5. PUBLIC WORKS. Passed with amendments H. R. 13273, the public works authorization bill for rivers and harbors and flood control projects (pp. 20958-996). Senate conferees were appointed (p. 20996). Agreed to an amendment by Sen. Hartke providing for the establishment of a Wabash Basin Interagency Water Resources Commission (pp. 20992-3). Consideration of a similar bill S. 3773 was indefinitely postponed (p. 20996).
6. ROADS. Passed with amendments H. R. 12135, the roads authorization bill for 1964 and 1965 (pp. 21011-4, 21016-7, 21020-3). Both Houses appointed conferees (pp. 21023, 21183). This bill includes authorizations for forest highways of \$33 million for fiscal years 1964 and 1965, and for forest development roads and trails of an additional \$20 million for fiscal year 1963 to bring the total authorization for that year to \$60 million, \$70 million for 1964, and \$85 million for 1965 (as compared to the present level of \$40 million).
7. FORESTRY. Sen. Morse inserted and commended Secretary Freeman's speech on the national forestry program before the Membership Conference of the Western Pine Association. pp. 21084-7

The three new provisions added by your committee are as follows:

(1) The text of H.R. 12030, which was reported unanimously by the Committee on Ways and Means. This provision authorizes the Treasury to make statistical studies and to supply training (to persons other than Treasury employees) and to charge for these studies and this training. The Treasury is also authorized to use the amounts received to reimburse the appropriations which bore the cost of the work. (At the present time even in those instances in which the Treasury may charge, the charges must go into the general funds.)

(2) A provision has been added to make it clear that where the taxpayer has filed a timely claim for refund and a timely suit in the Court of Claims and later carries his case to the Tax Court as a result of a notice of deficiency, that the Tax Court has jurisdiction over the tax liability for the entire year in question, and if it finds an overpayment instead of a deficiency, can order the refund. It is important that the Tax Court consolidate the claim for refund with the deficiency in order that only one court can have jurisdiction to determine the tax liability for the year. There is some doubt about whether this can be done because of a technical defect in the 1954 code. The Treasury feels this amendment should be made.

(3) A provision has been added defining cooperative banks in the same manner as domestic savings and loan associations are defined for the purpose of determining whether or not they are to be eligible for the special bad debt reserve deductions also applicable to savings and loan associations.

THE PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time, and passed.

VACCINATION PROGRAMS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1869, H.R. 10541.

THE PRESIDING OFFICER. The bill will be stated by title.

THE LEGISLATIVE CLERK. A bill (H.R. 10541) to assist States and communities to carry out intensive vaccination programs designed to protect their populations, particularly all preschool children against poliomyelitis, diphtheria, whooping cough, and tetanus.

THE PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill.

THE PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report, No. 1907, explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION

H.R. 10541 would authorize a 3-year program of special project grants to States and, with State approval, to local communities to pay part of the costs of intensive vaccination programs against four contagious diseases which constitute significant public health problems—polio, diphtheria, whooping cough, and tetanus.

THE PROGRAM

H.R. 10541 would authorize a 3-year program of Federal assistance to the States to aid in carrying out intensive vaccination programs against poliomyelitis, diphtheria, whooping cough, and tetanus. Such programs must be designed to encourage the immunization of virtually all susceptible persons and particularly all children under 5 years of age. In interpreting the term "susceptible" the States would be guided by practical epidemiologic considerations relating to the relative probability of persons in certain age groups contracting the disease in question. In the case of whooping cough, the age limitation in the immediate future would be based on the fact that vaccination with current materials is not recommended for older children or adults.

Under the provisions of the bill, Federal funds may be used only for—

(a) The salaries and related expenses of additional State and local health personnel required for planning, organizational, and promotional activities in connection with intensive community programs, and to maintain the epidemiologic and laboratory surveillance required; and

(b) The purchase of the vaccine for children under 5 years of age and for certain special groups of children 5 years of age and older, as determined by the Surgeon General. This latter category may include children not normally served by school programs such as those in institutions for the mentally retarded and children of domestic migratory agricultural workers.

The States and communities, for their part, would be responsible for supporting through public funds or otherwise, all other elements of the intensive programs—including the services of physicians, nurses, and other health personnel required in the conduct of public programs, the purchase of vaccine for persons other than children under 5 years of age and certain special (see above) groups of children 5 years of age and over, and the purchase of syringes and other materials required for administering the vaccine. The non-Federal costs for the purchase of vaccine alone for the susceptible persons (as defined above) 5 years of age and over would amount to at least \$39 million. Funds for the purchase of vaccine would undoubtedly come from a variety of sources, depending upon local circumstances and arrangements. Among the potential and most likely sources are State and local appropriations; funds of voluntary business and labor organizations; and payments or contributions by the persons being vaccinated.

In addition to the approximately \$39 million in vaccine costs, there would also be substantial costs either in terms of contributed services or money expenditures for necessary activities that are not eligible to be paid from the Federal funds authorized under H.R. 10541. These activities include the professional services needed to administer the vaccine in community clinics, clerical services of recordkeeping associated with vaccination services, and equipment and supplies needed in the vaccination clinics. It is not possible to estimate what the magnitude of such costs will be because the

extent to which contributed services will be utilized cannot be forecast.

Under the terms of H.R. 10541, an applicant for a grant would be required to give assurances to the Surgeon General that it would furnish such services and materials not provided in the grant which would be necessary to carry out the program. This provision will assure the substantial costs for which the Federal grants are not authorized will be provided by the States and communities.

The method of organizing and conducting local programs—including the choice as to which of the available polio vaccines shall be used for different groups—would be left to State and local determinations.

None of the provisions of H.R. 10541 may be construed to require any State or any political subdivision or instrumentality of a State to have an intensive community vaccination program requiring any person who objects to immunization to be immunized or to have any child or ward of his immunized.

FEDERAL AID HIGHWAY ACT OF 1962

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1958, H.R. 12135.

THE PRESIDING OFFICER. The bill will be stated by title.

THE LEGISLATIVE CLERK. A bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code and for other purposes.

THE PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with amendments on page 2, line 4, after the word "and", to strike out "\$975,000,000" and insert "\$950,000,000"; in line 19, after the word "additional", to strike out "\$10,000,000" and insert "\$20,000,000"; on page 3, line 4, after the word "parkways", to strike out "\$16,000,000" and insert "\$16,550,000"; after line 9, to strike out:

(8) For public lands highways, \$3,000,000 for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965.

And, in lieu thereof, to insert:

(8) For public lands highways, the additional sum of \$6,000,000 for the fiscal year ending June 30, 1963, and the sum of \$9,000,000 for the fiscal year ending June 30, 1964, and \$9,000,000 for the fiscal year ending June 30, 1965.

After line 17, to insert a new section, as follows:

THE RAMA ROAD

SEC. 3. That in order to provide for completion of the Rama Road in the Republic of Nicaragua, there is hereby authorized to be appropriated to the Department of State, in addition to the sums heretofore authorized, the sum of \$850,000, to be available until expended, for discharging the United States obligation under the applicable agreement with the Government of Nicaragua: *Provided*, That the survey and construction work shall be under the general supervision of the Secretary of Commerce: *Provided fur-*

ther, That funds provided pursuant to this authorization shall not be available for expenditure except under the conditions set forth in section 212 of title 23, United States Code, with respect to the authorization contained in that section: *And provided further*, That the funds authorized in this section shall be available for contract immediately upon the passage of this Act.

On page 4, after line 8, to insert a new section, as follows:

THE INTER-AMERICAN HIGHWAY

SEC. 4. That, for the purpose of completing the construction of the Inter-American Highway, there is hereby authorized to be appropriated the additional sum of \$32,000,000 to be expended in accordance with the provisions of section 212 of title 23 of the United States Code: *Provided*, That no part of such sum shall be obligated in any country until that country demonstrates, to the satisfaction of the Secretary, that it is capable of and willing to meet its commitment for maintenance under the agreements entered into pursuant to the provisions of section 212(a)(5) of title 23, United States Code: *And provided further*, That the funds authorized herein shall be available for contract immediately upon passage of this Act and compliance with such commitment.

At the beginning of line 24, to change the section number from "3" to "5"; on page 6, at the beginning of line 21, to change the section number from "4" to "6"; on page 8, at the beginning of line 2, to change the section number from "5" to "7"; at the beginning of line 9, to change the section number from "6" to "8"; at the beginning of line 20, to change the section number from "7" to "9"; on page 9, at the beginning of line 20, to change the section number from "8" to "10"; on page 10, at the beginning of line 5, to change the section number from "9" to "11"; in line 22, after the word "for", to strike out "the purposes enumerated in paragraph (1) of this subsection" and insert "highway research purposes"; and on page 11, at the beginning of line 5, to change the section number from "10" to "12".

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McNAMARA. Mr. President, on April 5, 1962, the President transmitted to the Congress a message on the transportation system of our Nation.

This message, printed as House Document Numbered 384, 87th Congress, contains several important recommendations as to the role of highways in our transportation system and for legislation on the subject.

On April 6, 1962, the Secretary of Commerce submitted to the Congress a draft of proposed legislation to implement the recommendations of the President concerning Federal-aid legislation, which was introduced as S. 3136.

H.R. 12135 as reported by the committee is not at great variance from the provisions of S. 3136.

The committee feels that the bill meets the objectives of the recommendations set forth in the President's message on transportation as they relate to Federal-aid highways.

The committee recommends several amendments to H.R. 12135 as it was passed by the House.

First. It recommends a reduction of authorization for the A-B-C systems for fiscal year 1965 from \$975 million to \$950 million, the same amount as recommended for fiscal year 1964.

These recommended authorizations would increase the funds for the A B C roads by \$25 million for 2 years, 1964 and 1965 over the present authorizations of \$925 million for 1962 and 1963. This amendment is in accord with recommendations of the President.

Second. It recommends an increase in the additional funds for forest development roads and trails for fiscal year 1963 from \$10 million to \$20 million.

These additional funds are needed to accelerate the forest-development roads and trail program, to provide access to our national forests, and make possible the sale of the full allowable cut of timber products, thus permitting full use and development of all the resources of our forests.

This proposed increase of \$10 million in these funds was recommended by the Secretary of Agriculture, and supported by several other witnesses before the committee.

Third. An increase of \$550,000 in parkway funds for fiscal year 1964 is included in the bill to permit completion of the relocation of the Natchez Trace Parkway, around a water supply reservoir being completed by local interests on the Pearl River, near Jackson, Miss.

Fourth. It would authorize the additional sum of \$6 million for each of the fiscal years 1963, 1964, and 1965, a total of \$18 million, for public lands highways.

These additional funds are needed to provide facilities for greater traffic volumes and access to our Federal lands, and accommodate the large increase in the number of tourists and visitors seeking recreation in our national forests, national parks, monuments, and other Federal reservations, and permit full utilization of their potential resources.

The committee received detailed testimony on a number of specific routes desired and the increased amounts are based largely on those requests.

Fifth. H.R. 12135 authorizes \$850,000 for completion of the Rama Road in the Republic of Nicaragua.

The Rama Road is nearing completion. There are only three bridges and 5 miles of highway remaining to complete the road.

The United States has made an investment of \$14.5 million in this highway. An additional authorization of \$850,000 is needed for its completion.

The committee believes that the Rama Road should be completed in accordance with our agreement with Nicaragua, and for the protection and realization of the full value of our investment in this important road, linking the Inter-American Highway with the east coast of Nicaragua.

This authorization was requested by the Secretary of State, and was supported by the Secretary of Commerce and the Bureau of Public Roads.

Sixth. The bill would authorize an additional amount of \$32 million for completion of the Inter-American Highway in Central America and Panama, subject to satisfactory commitments for maintenance of the highway.

The United States has invested a total of \$138,703,000 for work on the Inter-American Highway, and the Republics have spent about \$82 million of their funds.

The entire 1,555 miles south of the Mexican border will soon be open to traffic, although 422 miles has an all-weather gravel surface, and several sections are in need of improvement.

The committee believes that completion of the Inter-American Highway, thus providing a land connection with the Panama Canal, will assist in the economic and political development of the Central American region, and will serve to protect our investment in this highway.

It also believes that satisfactory arrangements on maintenance can be worked out.

The President, the Secretary of State, and the Secretary of Commerce have recommended this additional authorization.

The committee feels that further delay in completing construction on the highway will require demobilization of the Bureau of Public Roads' personnel, and that of the contractors now working on the highway, and will result in increased costs if work is resumed at a later date.

Accordingly, the committee recommends the authorization of \$32 million for completion of the highway.

Seventh. The bill also permits the use of one-half of 1 percent of the A-B-C apportionments for highway research purposes only.

The committee believes that highway planning and research activities by the State highway departments should be financed from funds available for research and administration, and that such funds should not be used for construction or other purposes.

The committee considered numerous other amendments to H.R. 12135, but took no action on them.

It believes that the bill adequately provides for relocation payments to families and businesses displaced by acquisition or clearance of rights-of-way for Federal-aid highway projects.

The estimated cost of such a relocation program varied, but cost estimates ran from \$75 million to \$200 million. The committee was concerned over the impact of such a program on the highway trust fund.

It was believed that the language of the House bill was adequate and equitable. The House language left the decision on making such payments applicable to State laws, as the State laws vary from State to State. Thus the House language does not place an unnecessary burden on any State highway department.

The committee believes that highway plans and programs in larger urban areas should be coordinated with plans for improvement in other affected forms of transportation, but that such transportation planning should not delay the present Federal-aid highway program.

The motor vehicle registration in the United States was almost 76 million in 1961.

It is expected to reach about 79 million in 1962, an increase of about 3.7 percent. It will continue to increase, probably at increased rate.

Many millions of vehicles will be driven into our cities each day. The needs for adequate roads into such cities is increasing. Our present highway pro-

gram is barely keeping pace with the traffic increase.

Even with good mass transportation systems, the need for these highways will continue. Many of the millions who own cars will continue to use them and drive them to work in the cities regardless of the mass transportation systems effected.

The committee considers the language of H.R. 12135 adequate to assure continuing transportation planning on a cooperative basis by the Federal, State, and local agencies.

The committee understands that the Bureau of Public Roads now has cooperative working arrangements with States and localities in the area of trans-

portation planning, and feels that the Federal guidance and leadership that will be provided under H.R. 12135 will provide for sound and uniform transportation in metropolitan areas.

From the messages received by the committee, it appears that H.R. 12135 as amended meets the support and approval of all highway interests, the administration, State officials, local officials, and the highway industry.

I ask unanimous consent to place in the RECORD at this point certain tables of authorizations and apportionments contained in H.R. 12135.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Comparison with existing authorizations

[Millions of dollars]

Type of roads	Existing law		H.R. 12135, as amended			Type of roads	Existing law		H.R. 12135, as amended		
	Fiscal year 1962	Fiscal year 1963	Fiscal year 1963	Fiscal year 1964	Fiscal year 1965		Fiscal year 1962	Fiscal year 1963	Fiscal year 1963	Fiscal year 1964	Fiscal year 1965
Federal-aid systems:						Park roads and trails	18.00	18.00		22.00	25.00
Primary	416.25	416.25		427.50	427.50	Parkways	16.00	16.00		16.55	16.00
Secondary	277.50	277.50		285.00	285.00	Indian reservation roads	12.00	12.00		16.00	18.00
Urban	231.25	231.25		237.50	237.50	Public lands highways	3.50	3.00	6.00	9.00	9.00
Subtotal	925.00	925.00		950.00	950.00	Rama Road				.85	
Forest highways	33.00	33.00		33.00	33.00	Inter-American Highway				32.00	
Forest development roads and trails	35.00	40.00	20.00	70.00	85.00						
Public lands development roads and trails				2.00	4.00	Total	1,042.50	1,047.00	26.00	1,151.40	1,140.00

Approximate apportionments of Federal-aid highway funds, fiscal year 1964

[Thousands of dollars]

State	Pursuant to H.R. 12135				Interstate (\$2,600,000)	Total (\$3,550,000)	State	Pursuant to H.R. 12135				Interstate (\$2,600,000)	Total (\$3,550,000)
	Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)				Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)		
Alabama	\$8,178	\$6,244	\$3,188	\$17,610	\$53,635	\$71,245	Nevada	\$4,846	\$3,223	\$358	\$8,427	\$13,069	\$21,496
Alaska	22,696	15,233	156	38,085		38,085	New Hampshire	2,111	1,407	627	4,145	11,631	15,776
Arizona	6,337	4,111	1,773	12,221	36,407	48,628	New Jersey	5,968	2,049	10,191	18,208	67,602	85,810
Arkansas	6,087	4,847	1,292	12,226	27,138	39,364	New Mexico	6,606	4,457	1,147	12,210	25,880	38,090
California	21,862	10,154	25,672	57,688	247,918	305,606	New York	19,292	8,412	27,316	55,020	122,855	177,875
Colorado	7,105	4,609	2,415	14,129	34,379	48,508	North Carolina	9,971	8,914	3,111	21,996	21,208	43,204
Connecticut	2,992	1,622	4,581	9,195	36,613	45,808	North Dakota	5,411	3,965	417	9,793	11,451	21,244
Delaware	2,111	1,407	544	4,062	9,654	13,716	Ohio	14,660	9,133	13,402	37,200	176,952	214,152
Florida	7,849	4,863	6,669	19,381	53,789	73,170	Oklahoma	8,523	5,932	2,616	17,071	31,195	48,266
Georgia	10,473	7,909	3,843	22,225	47,781	70,006	Oregon	6,546	4,575	1,982	13,103	45,034	58,137
Hawaii	2,111	1,407	880	4,398	20,360	24,758	Pennsylvania	15,690	10,062	15,094	40,846	115,974	156,820
Idaho	4,726	3,392	501	8,619	12,170	20,789	Rhode Island	2,111	1,407	1,426	4,944	9,551	14,495
Illinois	15,933	8,727	15,229	39,889	135,256	175,145	South Carolina	5,407	4,724	1,699	11,830	22,389	34,219
Indiana	9,696	7,009	5,322	22,027	64,213	86,240	South Dakota	5,952	4,306	431	10,689	17,023	27,712
Iowa	9,619	7,162	2,535	19,316	32,813	52,129	Tennessee	8,277	6,536	3,378	18,191	65,343	83,534
Kansas	9,561	6,676	2,327	18,564	20,103	38,667	Texas	25,851	16,337	13,180	55,368	117,309	172,677
Kentucky	6,944	5,888	2,368	15,200	52,890	68,090	Utah	4,635	3,007	1,237	8,879	37,537	46,416
Louisiana	6,353	4,570	3,712	14,635	74,894	89,529	Vermont	2,111	1,407	330	3,848	17,895	21,743
Maine	3,138	2,384	805	6,327	12,247	18,574	Virginia	8,031	6,269	4,112	18,412	78,797	97,209
Maryland	4,192	2,628	4,288	11,108	47,499	58,607	Washington	6,780	4,582	3,548	14,910	54,046	68,956
Massachusetts	5,382	2,380	8,184	15,946	55,561	71,507	West Virginia	4,163	3,742	1,248	9,153	39,026	48,179
Michigan	13,179	8,277	10,755	32,211	101,031	133,242	Wisconsin	9,485	6,691	4,589	20,765	22,928	43,693
Minnesota	10,726	7,560	3,888	22,174	67,063	89,237	Wyoming	4,816	3,277	280	8,373	24,870	33,252
Mississippi	6,626	5,567	1,393	13,586	31,503	45,089	District of Columbia	2,111	1,407	1,489	5,007	37,280	42,287
Missouri	11,306	7,740	5,270	24,316	66,318	90,634	Puerto Rico	2,111	2,342	1,822	6,275		6,275
Montana	7,821	5,426	543	13,790	24,263	38,053							
Nebraska	7,688	5,478	1,368	14,534	15,148	29,682							

Approximate apportionments of Federal-aid highway funds, fiscal year 1965

[Thousands of dollars]

State	Pursuant to H.R. 12135				Interstate (\$2,700,000)	Total (\$3,650,000)	State	Pursuant to H.R. 12135				Interstate (\$2,700,000)	Total (\$3,650,000)
	Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)				Primary (\$427,500)	Secondary (\$285,000)	Urban (\$237,500)	Subtotal (\$950,000)		
Alabama.....	\$8,178	\$6,244	\$3,188	\$17,610	\$55,698	\$73,308	Nevada.....	\$4,846	\$3,223	\$358	\$8,427	\$13,571	\$21,998
Alaska.....	22,696	15,233	156	38,085	-----	39,088	New Hampshire..	2,111	1,407	627	4,145	12,078	16,223
Arizona.....	6,337	4,111	1,773	12,221	37,807	50,028	New Jersey.....	5,968	2,049	10,191	18,208	70,202	88,408
Arkansas.....	6,087	4,847	1,292	12,226	28,182	40,408	New Mexico.....	6,606	4,457	1,147	12,210	26,876	39,086
California.....	21,862	10,154	25,672	57,688	257,453	305,141	New York.....	19,292	8,412	27,316	55,020	127,580	182,600
Colorado.....	7,105	4,609	2,415	14,129	35,701	49,830	North Carolina..	9,971	8,914	3,111	21,996	22,023	44,219
Connecticut.....	2,992	1,622	4,581	9,195	38,021	47,216	North Dakota....	5,411	3,965	417	9,793	11,891	21,684
Delaware.....	2,111	1,407	544	4,062	10,025	14,087	Ohio.....	14,660	9,138	13,402	37,200	183,758	220,958
Florida.....	7,849	4,863	6,669	19,381	55,858	75,239	Oklahoma.....	8,523	5,932	2,616	17,071	32,395	49,466
Georgia.....	10,473	7,909	3,843	22,225	49,619	71,844	Oregon.....	6,546	4,575	1,982	13,103	46,766	59,869
Hawaii.....	2,111	1,407	880	4,398	21,143	25,541	Pennsylvania.....	15,690	10,062	15,094	40,846	120,434	161,280
Idaho.....	4,726	3,392	501	8,619	12,638	21,257	Rhode Island.....	2,111	1,407	1,426	4,944	9,918	14,862
Illinois.....	15,933	8,727	15,229	39,889	140,458	180,347	South Carolina..	5,407	4,724	1,699	11,830	23,250	35,080
Indiana.....	9,696	7,009	5,322	22,027	66,683	88,710	South Dakota....	5,952	4,306	431	10,689	17,677	28,366
Iowa.....	9,619	7,162	2,635	19,316	34,075	53,391	Tennessee.....	8,277	6,536	3,378	18,191	67,856	86,047
Kansas.....	9,561	6,676	2,327	18,564	20,877	39,441	Texas.....	25,851	16,337	13,180	55,368	121,821	177,189
Kentucky.....	6,944	5,888	2,368	15,200	54,925	70,125	Utah.....	4,635	3,007	1,237	8,879	38,981	47,860
Louisiana.....	6,353	4,570	3,712	14,635	77,775	92,410	Vermont.....	2,111	1,407	330	3,848	18,584	22,432
Maine.....	3,138	2,384	805	6,327	12,718	19,045	Virginia.....	8,031	6,269	4,112	18,412	81,827	100,239
Maryland.....	4,192	2,628	4,288	11,108	49,326	60,434	Washington.....	6,780	4,582	3,548	14,910	56,125	71,035
Massachusetts....	5,382	2,380	8,184	15,946	57,698	73,644	West Virginia....	4,163	3,742	1,248	9,153	40,527	49,680
Michigan.....	13,179	8,277	10,755	32,211	104,917	137,128	Wisconsin.....	9,485	6,691	4,589	20,765	23,810	44,575
Minnesota.....	10,726	7,560	3,888	22,174	69,642	91,816	Wyoming.....	4,816	3,277	280	8,373	25,836	34,209
Mississippi.....	6,626	5,567	1,393	13,586	32,715	46,301	District of Columbia.....	2,111	1,407	1,489	5,007	38,714	43,721
Missouri.....	11,306	7,740	5,270	24,316	68,869	93,185	Puerto Rico.....	2,111	2,343	1,822	6,275	-----	6,439
Montana.....	7,821	5,426	543	13,790	25,196	38,986							
Nebraska.....	7,688	5,478	1,368	14,534	15,731	30,265							

Mr. McNAMARA. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as thus amended be considered as original text for purpose of amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEFAUVER. Mr. President, in connection with H.R. 12135 the highway bill, I would like to say that I am very much in favor of the authorization in the public lands highways section of \$24 million over the next 3 fiscal years. I have worked with my colleague, the Senator from Tennessee [Mr. GORE] and my two friends, the Senators from North Carolina [Mr. ERVIN and Mr. JORDAN] in behalf of congressional authorization for a tourist and access road from Tellico Plains, Tenn., to Robbinsville, N.C., in the Cherokee and Nantahala National Forests. The highway bill will give us this authorization.

The road in which I am interested, connecting Tellico Plains, Tenn., and Robbinsville, N.C., would benefit a wide section of the southeastern part of the United States. The benefits for the tourist industry, hotels and motels, gas and service stations, restaurants and sports equipment stores, would be beneficial I am sure in such adjoining States as Georgia, Kentucky, and South Carolina, as well as to the two terminal States, Tennessee and North Carolina.

The reason I have such confidence in the potential economic and recreational benefits of the proposed road is that it would provide access into the largest area of National Forests east of the Mississippi, an area that is largely undeveloped, inaccessible, and unvisited by America's tourists, campers and outdoor recreation seekers. This phenomenon is all the more unusual because this vast and unused land is just south of the Great Smoky Mountain National Park, which today has become one of the most

overcrowded recreation areas of the Nation.

To me it seems quite obvious that under such circumstances any reasonable alternative to these crowded park conditions should be carefully explored and developed. It is also obvious to me that the road we are discussing this morning is a feasible project, from both the economic and engineering standpoint.

This conclusion of feasibility is not merely the view of the congressional representatives of the areas affected, or the local people. The Department of Agriculture, Forest Service, in a preliminary reconnaissance report entitled, "Cherokee and Nantahala National Forests, Tellico-Robbinsville Highway in Tennessee and North Carolina," has done a fine job of outlining, describing, and enthusiastically endorsing the road in its entirety.

I would also like to mention that this road is not a new or recent idea either to the congressional delegation or the local people. This road has been discussed, planned, and promoted for 5 or 6 years, and many people from Tennessee and North Carolina have been in touch with me for several years as we planned and worked together to build our case for the approval of this fine roadway. Earlier this year, when the Forest Service budget was under consideration by the Senate Appropriations Committee, many witnesses testified in favor of the road and later, in its report, the Appropriations Committee noted that "a strong and convincing presentation was made to the committee for funds to construct a road linking the Cherokee National Forest in Tennessee with the Nantahala National Forest in North Carolina. Lack of authorization prevented committee consideration of the proposal. It is the committee's hope that a request for authorization will be placed before appropriate legislative committees for attention."

To provide this needed authorization, on May 9, 1962, I introduced along with Senators GORE, ERVIN, and JORDAN an amendment to S. 3136, the highway bill, to authorize the appropriation of \$2½ million in fiscal 1964 and an identical amount in fiscal 1965, for the construction of the Tellico Plains-Robbinsville Road.

Thereafter the Senate Public Works Committee increased the proposed authorization for public lands highways from \$6 million over 2 fiscal years to \$24 million over 3 fiscal years, and the latter is the amount before the Senate today.

I ask the Senate's most careful consideration of this authorization, which would create a fine road to open up vast new areas of beautiful, primitive forests, mountains, streams, and lakes for millions of Americans seeking wholesome outdoor recreation.

CONTINUING APPROPRIATIONS FOR DEPARTMENT OF AGRICULTURE AND FOREIGN CREDIT ADMINISTRATION, FISCAL YEAR 1963—REPORT OF A COMMITTEE (S. REPT. NO. 2277)

Mr. RUSSELL. Mr. President, from the Committee on Appropriations, I report an original joint resolution to provide continuing appropriations for the Department of Agriculture and the Farm Credit Administration for the fiscal year 1963, and I submit a report to be filed therewith.

Mr. President, I ask unanimous consent that the pending bill may be temporarily laid aside and that the Senate may proceed to the consideration of the joint resolution which has just been reported from the Committee on Appropriations.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The joint resolution (S.J. Res. 234) making continuing appropriations for the Department of Agriculture and the Farm Credit Administration for the fiscal year 1963, was read twice by its title.

THE PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. RUSSELL. Mr. President, the committee of conference, particularly the conferees on the part of the Senate, have met with almost insuperable and what appear to be unnecessary difficulties in the consideration of the regular appropriation bill for the Department of Agriculture and the Farm Credit Administration, which, incidentally, reached the Senate on July 25, almost one month after the beginning of the fiscal year. I shall not discuss the difficulties in detail; I shall probably do so at a later date, before adjournment sine die. However, I think it is prudent that the Senate pass the continuing resolution at this time, in the eventuality that it is impossible for the conferees to reach agreement on the regular appropriation bill.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 234) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is appropriated out of any money in the Treasury not otherwise appropriated, and out of the applicable corporate and other revenue, receipts, and funds, such amounts as may be necessary for continuing, during the fiscal year 1963, projects or activities which were conducted in the fiscal year 1962 by the Department of Agriculture, including the corporations therein, and the Farm Credit Administration, at a rate for operations not in excess of the current rate (amount appropriated or authorized to be expended in the fiscal year 1962) or the rate provided for in the budget estimate (amount estimated to be appropriated or estimated to be expended in the fiscal year 1963) whichever is lower, except that the 1963 Agricultural Conservation Program shall not exceed \$250,000,000.

Mr. RUSSELL. Mr. President, I move that the Senate reconsider the vote by which the joint resolution was passed.

Mr. BARTLETT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3631) to amend title 13, United States Code, to preserve the confidential nature of copies of reports filed with the Bureau of the Census on a confidential basis.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 5700) to

amend the Tariff Act of 1930 to permit the designation of certain carriers as carriers of bonded merchandise; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. MASON, and Mr. BYRNES of Wisconsin were appointed managers on the part of the House at the conference.

The message further announced that the House further insisted upon its disagreement to the amendment of the Senate to the bill (H.R. 7927) to adjust postal rates, and for other purposes; asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MURRAY, Mr. MORRISON, and Mr. CORBETT were appointed managers on the part of the House at the further conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 8952) to amend the Internal Revenue Code of 1954 with respect to the conditions under which the special constructive sale price rule is to apply for purposes of certain manufacturers excise taxes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. MASON, and Mr. BYRNES of Wisconsin were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 1691. An act for the relief of Elaine Veronica Brathwaite; and

H.R. 10605. An act for the relief of Joan Rosa Orr.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 12402 for the relief of Concetta Maria, Rosetta, and Tomasino Mangiaracina.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11665) to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 136. An act for the relief of Dinko Dorcic;

S. 320. An act to amend the provisions contained in part II of the Interstate Commerce Act concerning registration of State certificates whereby a common carrier by motor vehicle may engage in interstate and foreign commerce with a State;

S. 453. An act for the relief of Robert J. Scanlan;

S. 689. An act for the relief of Karl Heinz Agar;

S. 1263. An act for the relief of Marie Margaret Arvanetes;

S. 1651. An act to authorize the Commissioners of the District of Columbia to dele-

gate the function of approving contracts not exceeding \$100,000;

S. 1999. An act for the relief of Anna Marie Erdelyi;

S. 2568. An act to amend the act of September 7, 1950, to extend the regulatory authority of the Federal and State agencies concerned under the terms of the Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington May 31, 1949, and for other purposes;

S. 2667. An act for the relief of Sebastiana Santoro;

S. 2687. An act for the relief of Robert D. Barbee;

S. 2690. An act for the relief of Mona McIsaac Downey;

S. 2697. An act to waive certain time limitations prescribed in chapters 33 and 35 of title 38, United States Code, in the case of certain veterans and eligible persons ordered to active duty with the Armed Forces, or whose period of duty with the Armed Forces was involuntarily extended, on or after August 1, 1961;

S. 2711. An act for the relief of Tasia Demetropoulou (Dimitropoulos);

S. 2753. An act for the relief of Duk Man Lee and Soon Mal Lee;

S. 2777. An act for the relief of Arild Ericksen Sandli;

S. 2795. An act to prohibit the use by collecting agencies and private detective agencies of any name, emblem, or insignia which reasonably tends to convey the impression that any such agency is an agency of the government of the District of Columbia;

S. 2836. An act for the relief of Carmelo Rafala;

S. 2902. An act for the relief of Sumiko Takahashi;

S. 2908. An act for the relief of Rosa Fumarola Balice;

S. 2922. An act for the relief of Raymond Chester Hendon;

S. 2950. An act for the relief of Dwijendra Kumar Misra;

S. 2992. An act for the relief of Michelangelo Comito (Nati);

S. 3085. An act for the relief of Paul Huygelen and Luba A. Huygelen;

S. 3265. An act for the relief of Respina Anastos (Psychopeda);

S. 3267. An act for the relief of Gunter Heinz Hillebrand;

S. 3275. An act for the relief of Anna Sciamanna Misticoni;

S. 3295. An act for the relief of Mathew Lengyel (also known as Brother Paul, S.V.D.);

S. 3336. An act for the relief of Lazaro Loyola Arinque, Jr.;

S. 3390. An act for the relief of Naife Kahl;

S. 3452. An act for the relief of Dr. Hassan M. Nouri;

S. 3504. An act to provide for alternate representation of secretary officers on the Migratory Bird Conservation Commission, and for other purposes;

S. 3557. An act for the relief of Betty Sandra Fagann;

S. 3600. An act for the relief of Chao Hua-Hsih;

H.R. 946. An act to extend to oyster planters the benefits of the provisions of the present law which provide for production disaster loans for farmers and stockmen;

H.R. 1362. An act for the relief of Calogera Virone Messina;

H.R. 1483. An act for the relief of Priscillo Jor Sisson and Evelyn Sisson;

H.R. 1598. An act for the relief of Michael Anthony Dedetsinas;

H.R. 2978. An act for the relief of Rosa and Rita Quattrocchi;

H.R. 4483. An act for the relief of Simon Karasick;

H.R. 5695. An act for the relief of Forrest L. Gibson;

H.R. 6987. An act for the relief of Maj. William R. Cook;

H.R. 7600. An act to amend title 38, United

States Code, to revise the effective date provisions relating to awards, and for other purposes;

H.R. 7617. An act for the relief of John W. Schleiger;

H.R. 7876. An act relating to the effective date of the qualification of the joint pension plan for employees of Local Unions 645, 1507, and 1511, Brotherhood of Painters, Decorators, and Paperhangers of America as a qualified trust under section 401(a) of the Internal Revenue Code of 1954;

H.R. 8855. An act for the relief of Marie Silva Arruda;

H.R. 9469. An act for the relief of Charles L. Kays;

H.R. 9491. An act to provide for the removal of an encumbrance on the title of certain real property heretofore conveyed to the board of education of the Vallejo School District, Vallejo, Calif., by the U.S. Housing Corp.;

H.R. 9590. An act for the relief of Lt. Col. Edward Hirsch;

H.R. 9737. An act to amend section 641 of title 38, United States Code, to provide that deductions shall not be made from Federal payments to a State home because of amounts collected from the estates of deceased veterans and used for recreational or other purposes not required by State laws, and to amend chapter 35 of such title in order to afford educational assistance in certain cases beyond the age limitations prescribed in such chapter;

H.R. 10316. An act for the relief of Leopoldo Rocha Canas and Teofilo Caoile Servito;

H.R. 10897. An act for the relief of Joseph Hammond;

H.R. 11552. An act for the relief of Henry E. Keiser;

H.R. 11594. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments;

H.R. 11678. An act to waive section 142 of title 28, United States Code, with respect to the U.S. District Court for the Northern District of Ohio, Eastern Division, holding court at Akron, Ohio;

H.R. 11732. An act to amend section 305 of the Communications Act of 1934, as amended;

H.R. 12080. An act to permit domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors;

H.R. 12092. An act for the relief of Arthur H. Brackbill;

H.R. 12093. An act for the relief of Joseph Wolf, Jr.;

H.R. 12451. An act to authorize reimbursement to appropriations of the U.S. Secret Service of moneys expended for the purchase of counterfeits; and

H.R. 12653. An act to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase the limitation on the amount of loans which may be insured under subtitle A of such act.

There is absolutely no doubt that this highway bill will do more for natural resource development than has any other highway bill which has been considered by the Senate while I have been in the Senate.

The members of the Senate and House committees and President Kennedy deserve credit for the excellence of the bill. The funds provided for forest roads and public land development roads are based on the recommendations of the President.

For forest development roads, a total of \$60 million has been provided for 1963, \$70 million for 1964, and \$85 million for 1965.

I compare the record of this administration with that of its predecessor, which time and again recommended against the provision of funds for forest roads. I compare the record of this Congress with that of previous Democratic Congresses. Previous Democratic Congresses consistently reversed the recommendations of the Eisenhower administration.

In the 84th Congress, \$54 million was authorized, \$6 million over the previous biennium.

In the 85th Congress, \$60 million was authorized, again a \$6 million increase in the face of another Eisenhower administration recommendation against an increase.

In the 86th Congress, \$75 million was authorized, an increase of \$15 million, this in the face of an Eisenhower administration recommendation against any authorization.

Now, under President Kennedy's leadership, we are adding \$20 million to the \$75 million authorized previously for the biennium ending in 1963. Also, we are authorizing \$155 million for the new biennium, in all an increase of \$100 million over that for the previous biennium.

Mr. President, the forest roads are the backbone of forest management in the national forests. Among other things, they sustain the cutting of timber according to sound conservation practices.

The 154 national forests and 18 national grasslands in the national forest system consist of 186 million acres of Federal lands in 39 States and the Commonwealth of Puerto Rico. These lands produce water, timber, forage, recreation services, fish, big game, other wildlife, and minerals. They include the most important watersheds in the West and the headwater lands of many important rivers in the East.

The forest development system at present consists of 179,213 miles of roads and 106,577 miles of trails. It is estimated that when completely installed this system will consist of 542,250 miles of access roads and that the trail network will be reduced to 80,000 miles. The total cost of completing this eventual system is \$6.7 billion.

The development program for the national forests which was submitted to the Congress September 21, 1961, sets forth the resource management and development work needed in the national forests during fiscal years 1963-72 to assure that the forests will meet their full share of present and future public needs.

The access road and trail program is

essential for protection of national forest resources from fire, insects, and disease; facilitates the use for recreation, hunting, and fishing resources; increases the volume of timber that can be marketed, especially for small sales, and the support of dependent communities and small business enterprises; and increases the level of salvage cutting of dead and dying timber stands and the opportunity to promptly salvage losses resulting from fire, windstorm, insects, and disease.

The current receipts from national forest timber exceed \$100 million. These financial revenues will rise to about \$230 million annually by the time the 10-year program is completed from the annual sale of 13 billion board feet of sawtimber expected to be reached. On the basis that the end products from this timber will be worth about \$20 by the time they reach the ultimate consumer for every dollar of national forest stumpage sold, the total consumer value will be over \$4 billion. Payments from national forest revenues for county schools and roads will increase accordingly.

At the present time the national forests supply high-quality water to 1,800 towns and cities in the West, including some of our great and growing metropolitan areas. Irrigation use and outdoor recreation associated with the 3 million acres of lakes and 81,000 miles of streams in the national forests will continue to grow. By 1975 alone it is estimated that our use of water will double, and by the year 2000 it will be necessary to derive at least 200 million acre-feet of water from national forests' watersheds.

Recreational use of the national forest system is increasing at an extreme, rapid rate, as our growing population seeks rest, relaxation, and pleasure in isolated and scenic areas. National forest use for recreation purposes has risen from approximately 27 million visits in 1950 to over 100 million in 1961, with estimates of 195 million visits by 1972, and a probable of 635 million by the year 2000. Forest development road and trail funds can be used for vehicular parking areas and for sanitary, water, and fire control facilities, which assists in the development of the recreational resources of the national forests. The committee was advised that about 17 percent of the road and trail portion of the national forest program is used for roads needed for recreation, and that the 10-year program includes 8,000 miles of roads which are of primary importance for recreation.

The funds in this bill are urgently needed to keep the roadbuilding program more nearly on schedule and provide the access needed to harvest the projected timber cut, and meet the critical needs for recreation and fire roads.

In recent months the depressed condition of the lumber industry has emphasized the need for immediate remedial action. After a recent White House conference, a program designed to assist the lumber industry and improve its competitive position was announced. One of the steps outlined was the acceleration of the forest development road and trail program to provide

FEDERAL-AID HIGHWAY ACT OF 1962

The Senate resumed the consideration of the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code and for other purposes.

Mr. MORSE. Mr. President, all of us are greatly indebted to the Senator from Michigan for his magnificent work in successfully moving the road bill through the various channels to the point of passage.

access and make possible the sale of the full allowable cut of timber products from the national forests. Such an acceleration would also permit the development of multiple-purpose roads and trails and thereby intensify the use and enjoyment of all the resources of the national forests.

Of the 186 million acres of land under Forest Service administration, approximately 80 million acres are in or adjacent to present areas of labor surplus and low rural income. Acceleration of resource development would contribute materially to improving the economy of these areas.

The record shows that Federal funds invested in forest development roads and trails will return to the Treasury many times the amount of the investment, and therefore, insofar as possible, Federal appropriations should be used, rather than have the roads constructed by timber purchasers.

Mr. McNAMARA. I would like the record to show that the senior Senator from Oregon is responsible for the progress that has been made on forest roads and trails. Every time a road bill has been before the Congress the progress we have made has stemmed from his good work. This bill incorporates his requests. The additional \$10 million provided for 1963 added by the Senate resulted from the persuasive presentation to the President on July 26 which the senior Senator from Oregon personally made.

All of our forest resources today and in the future will be better because of the consistent good work of the Senator from Oregon. The lumber industry of this Nation, the conservationists and all who use the forests owe a debt of gratitude to him for the enlightened leadership he has demonstrated.

Mr. MORSE. I thank my colleague, but I point out that my colleagues in the Senate from Washington and Montana, along with the senior Senator from Idaho [Mr. CHURCH] have always worked on a team for the development of our forest resources.

Mr. BARTLETT. Mr. President, I congratulate and compliment, as did the Senator from Oregon [Mr. MORSE], the Senator from Michigan upon having done a superb piece of work on the highway bill. The bill means much to the entire country. It is another evidence of the devoted public interest of the Senator from Michigan.

Mr. President, with the consent of the Senator from Michigan, I submit an amendment to H.R. 12315 and ask that it be read. The amendment would add a new section at the bottom of the last page of H.R. 12315.

Mr. MILLER. Mr. President, may we have the amendment read?

Mr. BARTLETT. It might be relatively meaningless to have it read; it is quite long. I shall explain it, if the Senator from Michigan will permit me to do so.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

SEC. 13(a). That the Secretary of Commerce, in cooperation with the State of

Alaska, is hereby authorized to make engineering studies and estimates and planning surveys relative to a highway construction program for the State of Alaska, and, in accordance with treaties or other agreements to be negotiated with Canada by the Secretary of State in consultation with the Secretary of Commerce, engineering studies, estimates, and planning surveys relative to roads in Canada to connect with Alaska.

(b) On or before May 15, 1964, the Secretary of Commerce shall submit a report to the Congress which shall include—

(1) an analysis of the adequacy of the Federal-aid highway program to provide for a satisfactory program in both the populated and the undeveloped areas in Alaska;

(2) specific recommendations as to the construction of roads through undeveloped areas of Alaska and to connect them with roads in Canada; and

(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

(c) From time to time, either before or after submission of the report provided for in subsection (b) of this section, the Secretary of Commerce may submit recommendations to the Congress with respect to the construction of particular highways to carry out the purposes of this section.

(d) Nothing in this section shall be construed as creating any obligation in the Congress, express or implied, to carry out the recommendations referred to in subsections (a) and (b).

(e) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of \$800,000 for the purpose of making the studies, surveys, and report authorized by subsections (a) and (b) hereof.

Mr. BARTLETT. Mr. President, the amendment incorporates the exact language of Senate Joint Resolution 137, which passed the Senate on July 23 last.

The amendment was originated and sponsored by my colleague from Alaska [Mr. GRUENING], who is a member of the Committee on Public Works. At the moment, he is traveling over the roads of Alaska. If the amendment is accepted, we hope and expect that better travel will be provided on those roads in the future.

The amendment authorizes the appropriation of \$800,000 for certain engineering studies and estimates with respect to the entire roads network. This work has been long delayed. It should have been done years ago, but it has not been done. So the amendment will offer an opportunity to accomplish the very desirable purpose sought.

The reason why I am offering the amendment in behalf of the junior Senator from Alaska is that an unusual situation developed in the House. The joint resolution was approved by the House Committee on Public Works. It is my understanding that it was to have been placed on the suspension list in the House on Monday of this week. But because of a clerical error or a clerical failure, that was not done. If the action is not handled in this manner, there is grave danger that the language will not become a part of the law this year, and it is most important that there be early enactment.

The language of the joint resolution is strongly supported by the administra-

tion, particularly the Department of Commerce. I hope the chairman of the subcommittee will accept it.

Mr. McNAMARA. Is the amendment in exactly the same form as the joint resolution which previously passed the Senate?

Mr. BARTLETT. Literally so; not a comma has been changed.

Mr. McNAMARA. It has passed through the committees of both the House and the Senate and has the approval of all the agencies concerned.

Mr. BARTLETT. That is true. Not only that; it passed the Senate itself on July 23.

Mr. McNAMARA. Yes. The Senator has made that point quite plain.

Mr. President, speaking for the committee, I have no reluctance to accept the amendment as presented by the Senator from Alaska and shall take it to conference.

Mr. COOPER. Mr. President, do I understand that the amendment in the form of a separate measure previously passed the Senate?

Mr. BARTLETT. Yes.

Mr. COOPER. It has not been passed by the House?

Mr. BARTLETT. No. We are confident that it would have been passed on Monday had it been placed on the suspension list, as it was supposed to have been.

Mr. McNAMARA. We have been advised by the Department of Commerce that this item was omitted from the Consent Calendar in the House through inadvertence on the part of the Clerk. The House recommends this procedure.

Mr. COOPER. I have no objection to the amendment.

Mr. RUSSELL. Mr. President, is not this the same language as that of the measure which passed the Senate, with an amendment which provided that nothing therein contained was to commit Congress?

Mr. McNAMARA. That is exactly correct. We seek to adopt this amendment in the same form.

Mr. RUSSELL. Is that language now in the bill?

Mr. McNAMARA. I understand that every word in the proposed amendment is in exactly the same form as the measure which passed the Senate.

Mr. RUSSELL. I thank the Senator from Michigan.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Alaska is agreed to.

POSTAL SERVICE AND FEDERAL EMPLOYEES' SALARY ACT OF 1962

Mr. JOHNSTON. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on the postal rate and pay bill.

The PRESIDING OFFICER (Mr. PELL in the chair) laid before the Senate a message from the House further insisting upon its disagreement to the amendment of the Senate to the bill (H.R. 7927) to adjust postal rates, and for other purposes; requesting a further conference with the Senate on the disagreeing votes

of the two Houses thereon, and that Mr. MURRAY, Mr. MORRISON, and Mr. CORBETT were appointed managers on the part of the House at the further conference.

Mr. President, I move that the Senate agree to a further conference with the House and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSTON, Mr. MONROE, and Mr. CARLSON conferees on the part of the Senate.

Mr. McNAMARA. Mr. President, I yield to the Senator from New Jersey [Mr. CASE], if I may do so without losing the floor.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). Without objection, it is so ordered.

Mr. CASE. I thank the Senator from Michigan. I wish to make a little legislative history in connection with the bill.

Mr. President, I have become increasingly convinced that we are not going to solve any of the great problems of the metropolitan areas of the country until we provide more effectively for comprehensive planning for all their needs, including the planning for transportation, and that in the planning for transportation we must take into account a balanced transportation system, including rapid transit, highways, passenger cars, and all the rest.

I am happy to see that in his transportation message the President took cognizance of this need. I applaud him for it.

Pursuant to the President's message in April of this year, the bill introduced by the Senator from Michigan, S. 3136, provides specifically, in section 7, a requirement that before the Secretary of Commerce approves specific projects—that is to say, highway projects—for any metropolitan area, he shall find that they are consistent with adequate, comprehensive plans for metropolitan areas. This is spelled out in some detail.

I think the Senator from Michigan rendered a great service by introducing the bill with that provision contained in it.

The House made rather substantial changes in that section, which is section 134 of the Highway Code. This action gave me some concern. I called it to the attention of the Senate Committee on Public Works, and I know the committee gave this subject consideration. In the end, they agreed with the House on the language in question; and in section 9 of the bill before us, the same subject is covered—that is, section 9 of House bill 12135, as it is before us with the Senate amendment.

When I saw that the action taken by the Senate committee agreed with the action taken in this regard by the House, I took up the matter with the Under Secretary of Commerce for Transportation, because I had been given to understand—based on the reports—that neither the House nor the Senate committee intended to depart from the basic requirement for the development of comprehensive planning for transportation purposes, for metropolitan areas. It had been said that the effect of the measure the House passed would be to

require, not planning for all forms of transportation, but only planning for highways, and that therefore one of the main objectives, and one with which I had been concerned, had been thrown out the window.

So I wrote to the Secretary of Commerce. I am happy to say that I have received a letter, dated September 20, from the Under Secretary of Commerce for Transportation, Clarence D. Martin, Jr. I have given a copy of the letter to the Senator from Michigan, and he now has it before him.

In the letter, the Under Secretary of Commerce, after describing what he regards as certain minor and irrelevant amendments effected by the House itself and approved by the Senate committee, makes the following statement:

The elimination or change of any language in that section of the original administration bill—

Being section 7 of the McNamara bill to which I have referred—

has no significance other than what I have stated here. We would have no reluctance to having reinserted in the language the word "balanced" in line 25, page 8, of H.R. 12135, now pending in the Senate. We also would have no objection to the reinsertion at the end of the section on line 16, page 9, the language of the original administration bill reading "and that the Federal-aid system so developed will be an integral part of a soundly based, balanced transportation system for the area involved." It is our belief, however, that the language in the presently pending bill adequately covers the requirements that planning consideration must be given to all modes of transport and the planning process must give consideration to overall development plans of urban areas.

The letter has other paragraphs; and I ask unanimous consent that the full text of the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION,
Washington, D.C., September 20, 1962.
Hon. CLIFFORD P. CASE,
U.S. Senate, Washington, D.C.

DEAR SENATOR CASE: This letter is being written in the hope that it will clear up an unfortunate misunderstanding over one of the provisions contained in the Highway Act of 1962.

The section of the legislation referred to is section 9 of H.R. 12135, Transportation Planning in Certain Urban Areas. This section was contained in the legislation prepared by the administration in connection with the President's message to Congress on transportation April 5, 1962. The legislation was introduced by Senator McNAMARA (S. 3136) and by Congressman BUCKLEY (H.R. 11199). The original language was amended in an executive session of the House Public Works Committee following public hearings April 17 and 18 and May 1 and 2. We feel that two substantive changes were made by the amendments. One is the limitation that the required urban planning section would apply only to urban areas of more than 50,000 population. The second eliminated the possibility that an urban area could qualify under this section by merely adopting a specific comprehensive plan instead of establishing a continuous planning process which would give consideration to total transportation needs in re-

lation to continuing comprehensive community planning.

These changes were made with the concurrence of the Commerce Department and the Bureau of Public Roads. They had the support of several organizations which testified before the committee including the Honorable Ben West, Mayor of Nashville, Tenn., who was spokesman for the American Municipal Association. In his testimony he said in part (hearings before the House Subcommittee on Roads, p. 163):

"That portion of the proposal requiring that a continuing planning process be established seems reasonable and not overly restrictive and is supported by our association. That portion requiring that the projects are part of a comprehensive development plan does seem to be unreasonable. Unreasonable in that comprehensive plan for an area can only be a general guide for development of the area. Even then the plan is not static but needs continual revision as a part of the planning process. We recommend that this requirement be deleted from the bill."

The change limiting the application of this section to urban areas over 50,000 population was made in the belief that requiring smaller urban areas to establish a continuous comprehensive transportation planning process would be an undue financial burden.

The elimination or change of any language in that section of the original administration bill has no significance other than what I have stated here. We would have no reluctance to having reinserted in the language the word "balanced" in line 25, page 8, of H.R. 12135, now pending in the Senate. We also would have no objection to the reinsertion at the end of the section on line 16, page 9, the language of the original Administration bill reading "and that the Federal-aid system so developed will be an integral part of a soundly based, balanced transportation system for the area involved." It is our belief, however, that the language in the presently pending bill adequately covers the requirements that planning consideration must be given to all modes of transport and the planning process must give consideration to overall development plans of urban areas.

I hope this letter and the assurances contained herein adequately answer any questions relating to the interpretations we place on this particular section of the pending legislation.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this letter from the standpoint of the administration's program.

Sincerely,

CLARENCE D. MARTIN, Jr.

Mr. CASE. Mr. President, my question to the Senator from Michigan [Mr. McNAMARA] in charge of the bill, is, first, whether he agrees that the Senate committee had no intention other than that expressed in the letter of the Under Secretary of Commerce, Mr. Martin, and that the requirement for comprehensive planning for all forms of transportation is still in the bill.

Mr. McNAMARA. Mr. President, I have before me a copy of the letter to which the Senator from New Jersey has referred; and I agree with the statement made by Under Secretary Martin in dealing with this matter, and I am sure that was the intent.

Mr. CASE. Does the Senator from Michigan also agree that there has been no change in the original intent, although the language is changed in some particulars?

Mr. McNAMARA. I think there is no necessity for any change at all. It seems to me this meets the intent of the legislative body.

Mr. CASE. Mr. President, after having previously discussed the matter with the Senator from Michigan, I wish to say that I take it that he feels that no amendment is necessary in order to accomplish the purpose set forth in the letter.

Mr. McNAMARA. That is correct.

Mr. CASE. And I judge that he would prefer not to have an amendment offered to the bill—for the reasons we have discussed.

Mr. McNAMARA. I agree with the Senator from New Jersey.

Mr. CASE. I thank the Senator from Michigan for his courtesy and consideration, and I compliment him on the fine work he has done in connection with the bill.

Mr. McNAMARA. I thank the Senator from New Jersey.

Mr. KEATING. Mr. President, I am very much interested in the points which have been raised by the Senator from New Jersey. I commend him for his alertness to this situation and for the clarification he has made in the RECORD, by means of his colloquy with the chairman of the subcommittee. This is a matter of great concern in metropolitan areas. The Senator from New Jersey has been in the forefront of the fight for constructive action. Now he has demonstrated once more his ability and alertness by bringing this matter before us at this time.

Mr. President, I seek recognition in my own right, at this moment.

Mr. CASE. Mr. President, will the Senator yield?

Mr. KEATING. I yield to the Senator from New Jersey.

Mr. CASE. I wish to express my appreciation concerning the very kind remarks made by the Senator about our efforts to help the great metropolitan areas, in which the Senator from New York and other Senators have been so outstanding in their efforts, and to express the hope that eventually we will get somewhere toward the solution of this most important problem.

Mr. KEATING. I thank the Senator. I seek the floor in my own right.

Mr. McNAMARA. Mr. President, I have not given up the floor.

Mr. KEATING. I seek recognition on the pending amendment.

First, I want to join the Senator from Wyoming in wishing the Senator from Michigan the very best on his natal day, to compliment him on the work he has done on the bill, and to express to him my gratification for that work so far as it goes.

I am disturbed about one feature of the bill. I observe in the report and the text of the bill that funds are authorized for additional work, on a slightly increased level, for highways qualifying for Federal aid. Funds are also authorized for completion of the Rama Road in Nicaragua and the Inter-American Highway in Central America and Panama. Furthermore, a new category of roads on public lands and through national parks is au-

thorized. Urban areas are also included in the programs to use secondary-highway funds.

In short, there is something for just about all, whether they live in the woods or in the cities.

There is, however, one conspicuous omission in the bill, and that is a continuing failure to provide any form of recompense for those States which proceeded with the construction of highways before the Federal highway program was enacted.

In 1957, 1959, and 1961, first in the other body, and then here, I introduced legislation to provide a measure of compensation for progressive States which did not wait for a Federal handout, but proceeded on their own to construct a great deal of mileage now designated as interstate.

In New York State, for instance, about 580 miles, principally on the New York State Thruway, were constructed without any Federal funds of any sort. The cost was well over \$1 billion.

I can assure my colleagues that, had New York waited until after 1956, when the first highway bill was enacted, to commence construction, the total cost would have been substantially higher.

At the time the Federal Highway Act of 1956 was enacted, the question of reimbursement for toll roads, such as the New York State Thruway, was left open. A study by the U.S. Department of Commerce was called for. The Bureau of Public Roads reported to Congress in 1958 that 10,859 miles of toll roads, including the Thruway, had been completed by States between 1947 and 1957, at a cost of more than \$6 billion.

In this study, which was required by the Federal Highway Act of 1956, the Department of Commerce recommended in January 1959, that the States be reimbursed for the amount of mileage which equaled or exceeded the design standards of the Interstate System and which had been built without Federal aid.

The bill which my colleague [Mr. JAVRS] and I introduced on January 5, 1961, would have allowed Federal payments up to 90 percent of the cost of the interstate highways constructed before 1956, these funds to be used for the construction of substitute mileage to be added to the system in addition to highways already designated as interstate routes.

In my judgment, this is a fair and equitable way to reimburse States that took the initiative, and at the same time to provide additional, better highways for all our American people, in accordance with the concept of the Federal Highway Act.

A number of different formulas have been proposed by various Members of Congress. The advantage of the legislation which my colleague and I have proposed is that the additional funds would be restricted to providing additional highways, but I am certainly not wedded to this approach and would welcome any form of recompense or reimbursement which would be fair to the many States, large and small, which did not wait for a push from the Federal Government before undertaking their

rightful responsibilities in the area of highway construction.

Particularly in view of the funds provided for roads through Central America and through forest reserves, it seems to me that further attention must be given to the need for additional highways in the populated areas of the United States.

To illustrate, in New York State, for instance, there is a chronic need for additional work on sections of what is known as Route 17, the Southern Tier Expressway, badly needed to serve an important area of New York State, inhabited by almost 1 million people, in 7 counties and 11 cities.

As we all know, New York State is the most populous State in the Union. California is approaching our population and may catch up before the year is out, but New York is still the most populous State and is the second largest contributor of Federal highway user taxes. Yet continuous efforts by the State of New York to obtain a portion of the remaining unallocated portion of the interstate mileage for the Binghamton to Lake Erie portion of the Southern Tier Expressway have been turned down. Instead, new mileage has been allocated for a new interstate highway between Washington, Pennsylvania, and Charleston, W. Va., an area which I would venture to guess does not have half the population or traffic as the Southern Tier area to which I have referred.

Because of this continuing injustice and because of the ample provision in this legislation for highways in uninhabited national forests, I would like to inquire of the distinguished Senator from Michigan, who is handling the bill, what action it may be fair to expect may be taken by the committee with regard to arriving at some equitable formula for the recompense of States which did not wait for Federal aid in undertaking highway construction, in accordance with the recommendation made by the Department of Commerce as a result of the study which was heretofore authorized.

There are 26 States with toll roads, and I believe a total of 47, all together, which would qualify for reimbursement under the bill which my colleague and I have introduced.

While I support the bill and intend to vote for it, I would like to have some assurance or some indication from the distinguished chairman of the subcommittee as to whether this subject can or will be considered next year.

Mr. McNAMARA. In reply to the distinguished Senator's question, I presume he is familiar with the Federal Highway Act of 1956, on page 11, at the bottom of the page, section 114.

Mr. KEATING. Is the Senator referring to the original act?

Mr. McNAMARA. To the 1956 act. Does the Senator have a copy?

Mr. KEATING. I do not have a copy of the act.

Mr. McNAMARA. I refer to section 114, on page 11, "Determination of Policy With Respect to Reimbursement of Certain Highways."

Perhaps the Senator remembers that this was a part of the act. There was authorized a study by the Secretary of

Commerce, in cooperation with the State Highway departments and other agencies, to determine which highways in the interstate system measured up to the standards required by the title. All related costs and other factors were to be considered.

It was determined at that time that the highway trust fund could not stand the burden of this additional cost of reimbursement. Many States are involved in these toll roads, as the Senator has said. It was estimated that the cost would be more than \$6 billion. It was simply not possible to provide that amount of money from the highway trust fund without additional highway users tax.

The suggestion was made, and there was some discussion at the time the report was made, that consideration should be given to this problem along toward the end of the interstate program, rather than in the middle of the program, when obviously there would be involved a drain on the trust fund which could not be tolerated. That drain would put the system completely off schedule and delay its completion.

Mr. KEATING. The Bureau of Public Roads did make a report as required under the bill, and there was set forth the number of miles of toll roads which had been completed during the preceding 10-year period, as the Senator has said. The cost was more than \$6 billion. I question whether the Federal participation would amount to such a great sum, but it would be a substantial sum. That fact is admitted.

What is the time envisioned for the completion of the existing program?

Mr. McNAMARA. If the Senator is talking about the Interstate System, 1972 was the original target date. It now appears more likely that it will be completed about 1975.

Mr. KEATING. While I expect to be in the Senate in 1972, many things could happen between now and that time. If I could, I should like to have some assurance from my friend from Michigan concerning further consideration of the matter before 1972. Some States acted on their own in the 10-year interval before the act was passed. The longer we fail to act on the problem of whether those States will be reimbursed, the less likely it is that there will be action in that regard. And of course the more expensive any new efforts will be.

Mr. McNAMARA. The real problem, as the Senator perhaps realizes, is that the trust fund simply does not have that much money available. There is no prospect for getting it.

I am concerned about the problem, also. There is a highway in my State which has been taken over as part of our Interstate System. The cost was \$101 million. That cost is being paid off by tolls, also. We understand the problem, because we are involved in it. Michigan is a part of the overall picture the Senator mentions.

We have found there is no answer under the present plan. It cannot be financed out of the trust fund at the present time.

Mr. KEATING. Is there any plan for adjusting the terms or changing the terms of the trust fund provisions, so that such a result could be achieved, or achieved in part?

Mr. McNAMARA. Of course, the bill before the Senate now deals primarily with highways other than the Interstate System. It refers to the A-B-C roads primarily.

Mr. KEATING. Those A-B-C roads, of course, are a part of the federally assisted highway program, even though not technically part of the interstate highway authorization. Is there interstate highway assistance as such in the bill?

Mr. McNAMARA. No. There is no authorization for the Interstate System in this legislation.

Mr. KEATING. Not in this particular bill?

Mr. McNAMARA. No. That will be considered again next year or 1964.

Legislation on the Interstate System will be considered in the next year or so. That would be a more logical time to raise the question.

Mr. KEATING. I hope at that time the Senator who handles the legislation, who has an interest because of the interest of his own State, as the Senator has pointed out, will give serious and earnest consideration to the problem faced by New York, and by Michigan, and several other States.

Mr. McNAMARA. We are certainly much concerned as are other Senators, about the problem. It will be given consideration.

Actually, the bill before the Senate involves the ABC systems primarily. The closest we come to getting under the 1956 act is on the subsidizing the moving of tenants and one or two other items. I know the Senator is interested in that, because I think originally the request was made by his colleague.

Mr. KEATING. I am, indeed.

Mr. President, I appreciate the assurances given me by my colleague from Michigan. My colleague from New York is seeking recognition, but before I yield the floor, on a matter which has been cleared, I should like to make a request.

DR. MEHMET VECIHI KALAYCIOGLU

Mr. KEATING. Mr. President, I ask the Presiding Officer to lay before the Senate the message from the House of Representatives on the bill, H.R. 12907.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 12907) for the relief of Dr. Mehmet Vecihi Kalaycioglu, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KEATING. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Presiding Officer appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. East-

LAND, Mr. ERVIN, Mr. DIRKSEN, and Mr. KEATING conferees on the part of the Senate.

FEDERAL-AID HIGHWAY ACT OF 1962

The Senate resumed the consideration of the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code and for other purposes.

Mr. JAVITS. Mr. President, I shall be very brief. I wish to make two points on the bill.

First, I support wholeheartedly and fully the position of my colleague from New York. As a principal sponsor of the bill seeking to correct the injustice to New York with regard to the throughway which New York has built, a magnificent highway which facilitates the whole Interstate Highway System in an unparalleled way, I wish to say that New York certainly ought to be given recognition for that at least in additional road mileage. It is only fair to encourage States which have satisfied a responsibility to the Nation as well as to themselves, and have fulfilled their obligations.

If the people of New York return me to the Senate, I shall consider it a privilege to work very hard toward that end when the Interstate Highway program is considered, as the Senator from Michigan [Mr. McNAMARA] has said it will be, next year.

So I join fully with my colleague in that effort, and I support him entirely. I shall work hard to get for our State this measure of justice which it deserves, along with many other States, including Michigan.

Second, Mr. President, I testified before the committee as to the need for providing relocation assistance for families and small businesses which would be displaced by the highway program. I am delighted that this has now finally been recognized in both the House bill and the Senate bill. On pages 5 and 6 of the Senate bill a provision is made for this purpose.

I should like to ask the Senator in charge of the bill a question in that regard. I note that the limitations which are to be provided for moving expenses for families and for moving expenses for small businesses, on page 6 of the bill, lines 1 to 3 inclusive, are the limits which are the old limits of the 1961 Housing Act.

I succeeded, in the Banking and Currency Committee, in having those limits raised to a small extent for families and to a substantial extent for small businesses, by having the \$3,000 limitation removed and by making provision for all moving expenses.

There is great interest in this subject on the part of small business. We should do partial justice, since these businesses cannot get anything as a result of loss of profits. The Senator knows what that means. He, too, is a common man, as it were, in terms of direct experience.

At least we should give to them everything we can in connection with the physical problem of moving fixtures, the destruction of fixtures, and so on.

Will the Senator give me his rationale on that problem?

Mr. McNAMARA. The committee held a lengthy discussion on this problem. It was mostly along the line of trying to justify a payment from the trust fund. We did not consider any higher limitation, because what we were trying to do in the committee was to retain the figures which were in the bill.

There was a great deal of discussion and considerable opposition to reaching into the highway trust fund for payment of that kind of compensation. I say to the Senator frankly that we did not consider any higher figure.

Mr. JAVITS. Would it be fair, then, to say that a beginning has been made? For this I am grateful. The people concerned will be pleased that it is actually happening. I am sure the Senator would agree with me that if it were found, as we did in the housing program, that the limits work out unjustly, at least we can get an audience and a hearing if we seek to improve the limits.

Mr. McNAMARA. I am sure that can be done. It is a question of how much would be expended on a program of this type. We received estimates of cost varying from \$75 million to \$200 million. When we get some experience in the actual handling of cases under that section of the bill, a more realistic cost estimate will be available and can be followed up later, as the Senator suggested.

Mr. JAVITS. I thank the Senator. My aim would be to make the assistance for relocation under the bill consistent with the relocation provisions under the Housing Act for the removal of families and small businesses. Such people cannot see any reason why they should be treated differently when roads are involved than when housing is involved.

Mr. McNAMARA. The Senator will notice in the hearings, beginning on page 54, the testimony of Mr. Whitton, the Highway Administrator, in which he said at the bottom of page 55:

The Housing and Home Finance Agency has advised us that under the urban renewal program an average relocation payment of about \$65 is paid to families and about \$1,150 to businesses.

We have gone quite a bit further in the payment ceiling provisions of the bill.

Mr. JAVITS. I point out to the Senator the magic of that little word "average." What we were doing in the housing program was to take care of those unfortunates for whom the average would have been a gross injustice. I appreciate the Senator's remarks. We will proceed accordingly. I am delighted that perhaps my testimony had some little effect in getting that appropriation in the bill.

Mr. McNAMARA. I am sure it did. I thank the Senator.

GUARANTEED AIRCRAFT PURCHASE LOANS—CONFERENCE REPORT

Mr. MONRONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10129) to amend the act of September 7, 1957, relating to aircraft loan guarantees. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MONRONEY. Mr. President, I would like to make a brief explanation of the provisions agreed upon by the committee of conference.

H.R. 10129 would amend the act of September 7, 1957 (71 Stat. 629) to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes. The essential provisions of the bill as it passed the House extended for 5 years the authority of the Civil Aeronautics Board under the act of September 7, 1957, which act expired September 7 of this year, to guarantee aircraft purchase loans. The amount of loans which could be guaranteed with respect to any eligible carrier was increased from \$5 million to \$10 million. Additionally, the Civil Aeronautics Board was required to make available to the Comptroller General such information with respect to the loan guarantee program under the act as he may require to carry out his duties under the Budget and Accounting Act of 1921.

The Senate amended the House bill with an amendment in the nature of a substitute. It retained provisions with respect to extending the program an additional 5 years and increasing the amounts available to any single carrier from \$5 million to \$10 million. The Senate proposed two significant changes in existing law, viz., to make a new class of carriers, that is, the all-cargo carriers, eligible for loans under the program in amounts not exceeding \$15 million per carrier. Eligibility of these carriers was subject to the following conditions: The proceeds of the loan must be used for the purchase of turbine-powered aircraft and such aircraft must be of U.S. manufacture; the Defense Department must certify that the aircraft so purchased is suitable for use by the Military Establishment to meet national defense needs in times of emergency; and the aircraft

must be used "predominantly" for the carriage of property.

The second change proposed to transfer the responsibility of administering the loan guarantee program from the Civil Aeronautics Board to the Department of Commerce with appropriate language providing for orderly transition. The substitute agreed to in conference follows the provisions of the Senate amendment transferring from the Civil Aeronautics Board to the Secretary of Commerce the responsibility for the administration of the loan guarantee program, together with appropriate transitional provisions preserving existing agreements, regulations, and proceedings, and appropriate provisions transferring property and personnel utilized in such program.

Aside from the transfer of administrative responsibility, the conference substitute follows the provisions of the House bill extending the loan guarantee authority for 5 years from September 7, 1962; increasing from \$5 million to \$10 million the ceiling on loans to any one carrier which may be guaranteed and outstanding; restricting the class of carriers eligible for loan guarantees to those originally included in existing law; and requiring that information with respect to the loan guarantee program be made available to the Comptroller General.

Mr. President, I am very pleased that the committee of conference adopted the Senate provisions, with minor technical changes, with respect to the transfer of the loan guarantee program from the Civil Aeronautics Board to the Department of Commerce. This transfer will result in the implementation of an important recommendation of the President as set forth in his April 5, 1962 transportation message to the Congress.

I am, however, extremely disappointed that the House conferees were unable to accept the Senate provisions to make all-cargo carriers eligible for loan guarantees. I am thoroughly convinced that adoption of these provisions would have materially strengthened and rendered more efficient our air transportation system. There are many persuasive and cogent reasons for including these carriers. However, there is no point in reiterating them at this time, since they have been set forth in great detail in the report submitted by the Senate Committee on Commerce, No. 1924. I also discussed, at considerable length, in remarks on the Senate floor on September 12, the desirability of including these carriers. With respect to the position taken by the House, however, I do wish to point out that at the time the House Interstate and Foreign Commerce Committee held hearings on H.R. 10129 there was no formal amendment to provide for the inclusion of the all-cargo carriers. Consequently, the committee received only very limited testimony on the subject. Apparently, the House conferees were of the view

that with such limited testimony they were not in a position to make an adequate evaluation as to the need for making all-cargo carriers eligible for aircraft purchase loans. However, the able and distinguished chairman of the House Interstate and Foreign Commerce Committee, Mr. HARRIS, and the very capable chairman of the House Transportation and Aeronautics Subcommittee, Mr. WILLIAMS, indicated that they would be amenable to giving this matter formal consideration early in the next session of Congress. I am confident that they will do so. For my part, as its chairman, I can assure my colleagues in the Senate that the question of all-cargo carrier eligibility under the loan guarantee program will be a matter of top priority on the agenda of the Senate Aviation Subcommittee next year.

I move that the report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

FEDERAL-AID HIGHWAY ACT OF 1962

The Senate resumed the consideration of the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code and for other purposes.

Mr. McNAMARA obtained the floor.

Mr. McNAMARA. Mr. President, I ask unanimous consent that I may yield to the Senator from Iowa without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, during the deliberations on the bill in the committee a question arose over section 8 of the bill, which appears on page 8, and more particularly the language in the bill which appears on line 14, namely, "pass through the urban area." One could read that language literally and conclude that it means going completely through an urban area from one end of the urban area to the other, or one could take a more realistic or practical view of it and ascertain that the intention was that if it passed through a substantial portion of the urban area, the law would be satisfied.

More particularly, the problem arose in connection with terminal markets. In some of our urban areas, terminal markets are located in the urban area, but because of the configuration of the urban area it would be either impracticable or impossible to extend a highway completely through the urban area. On the other hand, it would be not only practicable, but desirable, to extend it through so much of the urban area as would lead it to the terminal market.

I should like to ask the Senator from Michigan, for the purpose of making legislative history on the bill, whether this reasonable interpretation—not the strict or literal interpretation—of going through a substantial portion of an urban area, rather than completely

through it, is not the intention of the committee with respect to this language.

Mr. McNAMARA. This subject was discussed in committee, and he knows that I was on his side, on the side that he is taking at the present time. From the discussions we had there, with the representatives of the Bureau of Public Roads present, I understood that this was our conclusion, and that this was the conclusion that we intended to include in the report. There has been some doubt since then in connection with the provisions of existing law. However, the Senator from Iowa is correct, that this was the intent of the legislation and of the committee when we sat down with the Bureau of Public Roads representatives.

Mr. MILLER. It seems to me that this was the unanimous feeling of the committee, that the reasonable interpretation of the language of "passing through" was to attach to the bill, rather than a literal interpretation, which would cause one to go completely through a urban area. This ought to be shown as a part of the legislative history.

Mr. McNAMARA. The existing law provides that the highway go through the urban area, or connect with a Federal-aid highway within the urban area. I believe the Senator should go one step further and say that first the local highway people, the State highway commission or whoever has authority in this field, must make the request for designation of a section of the highway on the secondary system. Unless they did it, the interpretation would be meaningless. After they make the request, and after the request had been approved by the Bureau of Public Roads, they would have enough room under the language of the act to grant the request, as indicated by the Senator from Iowa.

Mr. MILLER. I thank the Senator for his comment. I am confident that the Bureau of Public Roads will take a broad view of it, not a narrow view, because the representatives of the Bureau of Public Roads were present during the deliberations of the committee on the pending bill.

Mr. McNAMARA. That is correct.

Mr. MILLER. I believe that is the reasonable interpretation that will be made; I believe they will take a liberal view, and not a strict view, in interpreting the language.

Mr. McNAMARA. After a request comes from the local highway commission, that is correct. I thank the Senator from Iowa.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. RANDOLPH. Mr. President, it is my personal privilege before discussing the importance of what we accomplish here today, in extending and improving

the highway system of the United States through effective legislation, to indicate the esteem I hold for the Senator from Michigan [Mr. McNAMARA], who serves as chairman of the Subcommittee on Public Roads of the Committee on Public Works. Directing the course of legislation in the complex area of road construction, as it exists today in a mobile America, is one which calls for application to duty and forceful leadership. As a member of the Subcommittee on Public Roads I have enjoyed the opportunity and responsibility of serving and cooperating with the chairman, the Senator from Michigan. We are all, of course, very conscious of our esteem for our committee chairman, Senator CHAVEZ, who is absent today. He is being honored in New Mexico by his fellow citizens.

The Senator from Michigan observes a birthday anniversary, a special day of good work done in this forum, and I believe that oftentimes we are inclined to forget to express appreciation to those who have positions of responsibility and who discharge them with objectivity and also with a range of vision. So today we are in a sense building a better America.

Mr. President, it is a source of genuine satisfaction to me that the Senate is acting affirmatively today to continue and strengthen the national highway program begun in 1956.

In approving biennial authorizations for the Federal-aid primary, secondary and urban systems—commonly known as the A-B-C system—we are making provision for the continuation of a long-range program to improve, to adequate standards, a network of roads which extends into every county of the United States and which is of direct benefit to every citizen.

We are, truly, a nation on wheels. We operate approximately two vehicles for every three citizens of driving age. We use the automobile for pleasure and for business. The highways place the farmer within convenient reach of his marketplace and his children within reach of the modern school. Every facet of everyday life is touched and affected by highway transportation.

The 1956 act provided a far-reaching program for the construction of the 41,000 miles of National System of Interstate and Defense Highways which will become, on completion, the backbone system of our national highway network. It has been pointed out, frequently, that the Interstate System will comprise only about 1.2 percent of our total highway mileage, but will carry more than 20 percent of all of our highway traffic.

A qualifying phrase should be added to that statement. The Interstate System will fulfill its planned function provided that the feeder and connector roads—the A-B-C highways—are adequate to supplement the Interstate System and thus complete a fully integrated national system of highways.

I have likened the Interstate System to a backbone; perhaps a more apt simile would compare the Interstate System to the arteries, and the A-B-C roads to the

smaller blood vessels. We are speaking, in fact, of a circulatory system for traffic, and the vital virtue of highway transportation is the unrivaled degree of flexibility it affords. Even a coast-to-coast trip on arterial highways is not complete until the driver traverses a side street or secondary road leading directly to the lane or private driveway that represents his ultimate destination.

A wholesome transportation system is a key factor in economic expansion. We must not fail to meet the challenge. As our population increases, as new echelons of high school and college graduates enter the labor market, there must be new job openings for them—job opportunities developed through the continual process of economic growth. Highway development, of course, is only one of the factors to be considered, but it is an extremely significant one. Many of our new industrial plants are highway oriented, depending on the roads for access to raw materials, labor and markets.

Inadequate roads impair the efficiency of the transportation system through loss of time in transit, increased operating costs, and increased hazards.

Highway hazards concern all of us. Accident rates have declined steadily. For instance, the death rate last year was less than half what it was in 1945—5.2 deaths per 100 million vehicle miles in 1961, as compared with 11.3 in 1945. But traffic more than doubled during the period, so the number of deaths did not decline.

So, while we are encouraged by the progress that has been made in highway safety, we are concerned with the need for further improvement. The Interstate System will do much to improve the highway safety record—in terms of fatal accidents, urban freeways are about twice as safe as city streets, and rural freeways about 2½ times as safe as other rural roads. At least 5,000 lives a year will be saved by transferring traffic to the safer Interstate highways. And other thousands of lives can be saved by the program of rebuilding and modernizing the ABC highways.

In truth, the highway program is a national investment of prime importance. It has been my privilege to be closely associated with the highway effort over a long period of years—as a former member of the House of Representatives Committee on Roads, as a past treasurer of the American Road Builders' Association, and, now, as a member of the Senate Subcommittee on Public Roads. I have, during a span of almost 30 years of direct work in this field, been impressed with the manner in which the program is being executed, by men of proven talent and personal integrity, in the Bureau of Public Roads, in the State highway departments, and generally in the highway industry.

In the past 6 years, we have accomplished about one-third of the labor of completing the Interstate System, and, it is interesting to note that the construction is being accomplished at prices within the cost estimates, in spite of the recognized trend toward higher prices. During the first half of 1962, for example, contractors' low bids totaled

\$714.8 million on Interstate works which the State engineers had estimated would cost \$774.1 million—a saving to the taxpayers of \$70 million in 6 months on the Interstate System.

There are two cogent reasons for the savings—first, the rapid development and acceptance of improved equipment, materials and construction methods; and, second, keen competition among contractors—5.8 bidders per contract in 1962 as compared with 3.9 in 1946 and 5.0 10 years ago.

We have made significant strides in bringing our highways to adequate standards. We anticipate even more effective progress in the years ahead. In our State of West Virginia we are increasingly challenged by the immediate and long-range needs to extend and expand and improve our highways. The program now underway needs to be implemented for the business and industrial and tourist appeal in our mountain and valley land—a land in degree overlooked but now moving determinedly into a position of strength among the States.

Mr. McNAMARA. Mr. President, I thank the Senator from West Virginia, and especially for his kind personal remarks. His knowledge of the highway system and its problems have been spelled out in his statement. His long experience in the House in matters concerning public works makes him a most valuable member of our committee, and particularly of our subcommittee. I deeply appreciate his help and cooperation.

Mr. RANDOLPH. I thank the Senator from Michigan.

Mr. CURTIS. Mr. President, will the Senator from Michigan yield?

Mr. McNAMARA. I yield.

Mr. CURTIS. First I digress to join with other Senators in wishing the Senator from Michigan a happy birthday.

Mr. McNAMARA. I thank the Senator from Nebraska.

Mr. CURTIS. Can the Senator tell us how the amount provided in the bill coincides with the amount in the trust fund? Does it go over or under the anticipated receipts of the trust fund?

Mr. McNAMARA. The receipts of the trust funds are definitely divided into periods which would make them measurable; but as of June 30, 1962, there was a balance in the trust fund of \$470,251,000. So we are not running behind in the trust fund, but a little bit ahead.

Mr. CURTIS. Is it anticipated that that part of the road program which is referred to as the Interstate System, and paid for from the trust fund, will stay within the trust fund figures?

Mr. McNAMARA. The A, B, C, as well as the Interstate obtain their funds from the trust funds. The difference is in the matching. The A, B, C, systems get first call on the revenues in the highway trust fund.

Mr. CURTIS. Is a deficit anticipated in the trust fund?

Mr. McNAMARA. There is no indication at this time that there will be a deficit in the foreseeable future.

Mr. CURTIS. Is it contemplated that an increase in the tax will be necessary to maintain funds in the trust fund?

Mr. McNAMARA. Not as I see the situation at the present time.

Mr. CURTIS. How does the amount provided by this measure compare with the total authorization in the House bill?

Mr. McNAMARA. We have cut \$25 million from the \$975 million for fiscal year 1965, which was requested by the administration, but we have added \$28 million for roads on Federal lands, and \$33 million for the Inter-American Highway and the Rama Road.

Mr. CURTIS. It is substantially the same amount, but a little higher.

Mr. McNAMARA. A little higher.

Mr. CURTIS. Is the amount substantially in accord with the budget estimates?

Mr. McNAMARA. Yes, except for the \$25 million. The House provided \$25 million above the budget estimates, and the Senate cut that amount back.

Mr. CURTIS. Were the increases provided by the Senate approved by the budget?

Mr. McNAMARA. Yes.

Mr. CURTIS. I thank the Senator.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 12315) was passed.

Mr. McNAMARA. Mr. President, I move that the Senate insist on its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. SMITH of Massachusetts in the chair) appointed Mr. KERR, Mr. McNAMARA, Mr. RANDOLPH, Mr. COOPER, and Mr. FONG conferees on the part of the Senate.

Mr. McNAMARA. Mr. President, I ask that H.R. 12135 be printed with the Senate amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCREASING TEMPO OF ATTACK FROM ULTRA CONSERVATIVE AND RIGHTIST PUBLICATIONS AND ORGANIZATIONS

Mr. McGEE. Mr. President, with election day rapidly approaching, many of the Members of this body will doubtless enjoy, or endure, an increasing tempo of attack from the ultraconservative and rightist publications and organizations.

I wish to discuss at length two sources of such attacks: the publication *Human Events*¹ and the organization, Americans for Constitutional Action. These two are, as will be shown, closely connected. Most of us recognize the names, but perhaps we are less familiar with what they are and who is behind them.

In making these remarks, Mr. President, I should like to have included in the RECORD with them several footnotes documenting many of the statements.

Let us start with *Human Events*, since it is the older. In fact, it dates its beginnings from February 1944 when "its

¹ *Human Events*, special issue, July 1962.

official launching took place at a Chicago luncheon given by Gen. Robert E. Wood, chairman of Sears, Roebuck, on behalf of editor-publisher and founder Frank C. Hanighen. Let me digress to sketch in some information on each of these men.

Gen. Robert E. Wood, since retired from the chairmanship of Sears, Roebuck & Co., was a leading supporter of the late Senator Joseph McCarthy and has been active in extreme right-wing causes from the America First Committee, of which he was the first chairman, on down. For example, he was on the advisory council of the so-called Campaign for the 48 States, an organization which operated from 1955 to 1959 campaigning for a group of constitutional amendments which ranged from putting an upper limit on the income tax to revision of the electoral college so as to further weaken the voting power of urban areas. He has served on the advisory board of Facts Forum and its successor organization, Life Lines, both of which are the creatures of Texas Oilman H. L. Hunt, and he has been a sponsor of the Organization To Repeal Federal Income Taxes. Currently he is listed as a member of —

Citizens Foreign Aid Committee, which is opposed to foreign aid.

Board of trustees, America's Future, Inc., an organization headed by John T. Flynn's former assistant, Rosalie Gordon; currently engaged in reviewing school textbooks to look for leftist and one-worlder influences.

Senior advisory board, American Security Council, a private "research and information center on subversive activities" whose field director is W. Cleon Skousen—described by fellow-rightist J. Bracken Lee as "an incipient Hitler" and a "master of half-truths."

Frank C. Hanighen was a book editor in the 1930's and then a freelance journalist. He authored two muckraking-type books, one on the international petroleum industry—"The Secret War," John Day, 1934—and one on the international munitions industry—"Merchants of Death," Garden City, 1937, co-authored by H. C. Engelbrecht. In addition to being the founder and editor of Human Events, Mr. Hanighen wrote a regular column on Washington affairs for the Freeman magazine for the first 15 months of its publication under the auspices of the Foundation for Economic Education. Like General Wood, Mr. Hanighen served on the national advisory council of the Campaign for the 48 States. More recently he is the treasurer of the American Good Government Society and an incorporator of the Intercollegiate Society of Individualists, which was established as a sort of joint project of Human Events and the Foundation for Economic Education.

To return to the 1944 luncheon that gave Human Events its sendoff, it has already been noted that the host, General Wood, had been the chairman of the America First Committee. In view of this, the names of the other people at

the luncheon is noteworthy. They were Gen. Thomas S. Hammond, Clay Judson, Sterling Morton, and W. H. Rignery, Sr., all of whom had served with Wood on the America First Committee; Col. Charles Lindbergh who made numerous speeches for the committee; and Col. Robert McCormack, whose Chicago Tribune was a sort of unofficial journal of the movement.³ Each guest, it is reported, ordered charter subscriptions to Human Events for friends to make up an initial circulation list of 127. Since, according to a recent brochure, "The recipients renewed their own subscriptions and sent gift subscriptions to their friends," and since Human Events frequently reprints a partial listing of the "charter" subscribers, it may be of interest to note some of the names. If nothing else, they indicate the readership for which the newsletter was designed. Included were W. J. Grede, A. G. Heinsohn, Jr., and Cola Parker, all of whom have more recently been members of the National Council of the John Birch Society; E. L. Wiegand and Frank de Ganahl, both of whom have endorsed the John Birch Society; and Charles Edison, Adolph Menjou, and J. Howard Pew, all of whom serve on the editorial advisory board of the Society's magazine, American Opinion. It is hardly surprising either that we find a number of charter subscribers to Human Events currently affiliated with Americans for Constitutional Action. In addition to Charles Edison and E. L. Wiegand, just mentioned, these included Walter Harnischfeger, Albert Hawkes, J. W. Kieckhefer, Philip McKenna, Adm. Ben Moreell, Bernard Peyton and H. W. Prentis, Jr. Others listed by Human Events as on its charter subscription list have been active in various other right-wing causes, but I believe this is sufficient to make the point.

STAFF AND CONTRIBUTORS

We have seen for whom Human Events is written; let us take a look at its staff. Chief assistant to Mr. Hanighen is an Ohio publisher named James L. Wick, who carries the titles of executive publisher of Human Events and president of Human Events, Inc. Mr. Wick, who is the chairman of the board of small newspapers in Louisiana and North Carolina, in addition to Ohio, joined the staff of Human Events in 1954. Prior to that he had been editor of Prentice-Hall's Washington newsletter, What's Happening in Washington, and, in 1953, general manager of the Freeman magazine prior to its adoption by the Foundation for Economic Education. It is of note, also, that Mr. Wick has worked in two Republican presidential campaigns, as an employee of the Republican National Committee in 1940 and as a member of Governor Dewey's research staff in 1944.⁴ He appears to have been dissatisfied with the way in which these campaigns were run since he subsequently wrote a book titled "How Not To Run for President," Van-

tage Press, 1952. The primary theme of this book is the familiar one that too much "me-tooism" on the part of Willkie and Dewey alienated the conservative core of Republican voters and lost the elections.

Other people who are or have been key staff members at Human Events include—

Frank Chodorov, contributing editor. Mr. Chodorov is a well-known author and editor who is opposed to the income tax and to public education and has called the historic 1954 decision of the Supreme Court on school integration "another effort to destroy State autonomy and abolish local government."⁵ In addition to being the founder and president of the Intercollegiate Society of Individualists, Mr. Chodorov has been affiliated with the following other right-wing groups:

For America, headed by Gen. Bonner Fellers, who also heads the Citizens Foreign Aid Committee, mentioned previously, the vice chairman of Americans for Constitutional Action, and an endorser of the John Birch Society.

Campaign for the 48 States, mentioned previously.

We, the People, an extremist group headed by the Rev. Billy James Hargis, who also heads his own Christian crusade and is another endorser of the John Birch Society.

National Economic Council, which defends the Birch Society, charges that "the Zionists [were] largely responsible for Hitler's going berserk,"⁶ and is headed by Merwin K. Hart, an anti-Semite and a John Birch Society chapter leader.

Kenneth Ingwalson, assistant publisher. Mr. Ingwalson came to Human Events from the American Farm Bureau Federation via Americans for Constitutional Action.

Edna Lonigan, contributing editor. Miss Lonigan's apparent field of specialty is welfare, on which she has written two pamphlets for the American Enterprise Association. Her general viewpoint may be gathered from the following quotes:

If the Central Government continues to acquire capital for itself, in blocks of billions [presumably referring to the social security program], by promising to provide welfare * * * our liberties will be permanently lost.⁷

If Congress wishes to preserve the constitutional principle of sovereign States, it must begin to amputate these grants in aid. It must confront every request for new assistance by cutting down some older program.⁸

Miss Lonigan has also written on foreign affairs and, in an article on the Alliance for Progress, said:

Land reform is in essence a Communist proposal, although, like all Communist propaganda, it is repeated, nine times out of

³ Names of those at the luncheon from Human Events, special issue, July 1962.

⁴ Biographical information from "Who's Who," 1962-63.

⁵ Human Events, May 19, 1954. For his opposition to public education see *ibid.*, and for his opposition to the income tax see "Income Tax: Root of All Evil" (Devin-Adair, 1954) and "The Rise and Fall of Society" (Devin-Adair, 1959).

⁶ Economic Council Letter, Apr. 15, 1961.

⁷ "Expanding Welfare in a Free Economy" (American Enterprise Ass'n, 1940).

⁸ Human Events, Jan. 6, 1961.

² 1960 brochure put out by American Security Council, Inc.

their children out of school, to pick crops in Santa Clara County, the parents are dependent upon what those children will earn as part of the family income to survive for the entire winter and so that they can stay off the relief rolls. This applies not to just one or two or half a dozen families. This has to do with hundreds of families. If you insist upon telling these children that they cannot work, a substantial part of that family's income is gone. What will happen to the children? The parents have to work. This is the way they make their living. They cannot quit. They cannot let the children go hungry. The children will have to stay at home or stay in the labor camp. They will be unattended and not properly fed and they will be running around dirty and catching cold and catching disease because they cannot be with their parents who can take care of them down in the orchard. Now another thing is going to happen if you insist on this. These children will not be able to contribute to the family income and the family is not going to be able to pick the prunes. So they are going to go someplace else. When that happens, the crops are not going to go to waste because you know full well that the farmer is going to go to the Department of Labor and he will be certified for the use of braceros or Mexican nationals.

Those of you who oppose the use of Mexican braceros will find you will be having hundreds and thousands of them coming in to take these jobs.

All I am asking you to do—and I offer this in all sincerity, because if this amendment should carry I will vote for this bill—all I am asking you to do is to say that a parent has the right to decide whether his child shall work in agricultural labor or not. We have laws to keep parents from abusing children, just laws. We have humane societies, and State and county laws to keep children from being abused. Let them work, and let these children work with their families.

Mr. O'HARA of Michigan. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to; accordingly the Committee rose, and the Speaker having resumed the chair, Mr. SANTANGELO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 1123) to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes, had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 9285. An act for the relief of Helenita K. Stephenson;

H.R. 10541. An act to assist States and communities to carry out intensive vaccination programs designed to protect their populations, particularly all preschool children, against poliomyelitis, diphtheria, whooping cough, and tetanus; and

H.R. 12313. An act for the relief of Jane Froman, Gypsy Markoff, and Jean Rosen.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12599. An act relating to the income tax treatment of terminal railroad corporations and their shareholders.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12135. An act to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KERR, Mr. McNAMARA, Mr. RANDOLPH, Mr. COOPER, and Mr. FONG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 13273. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The message further announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KERR, Mr. McNAMARA, Mr. RANDOLPH, Mr. COOPER, and Mr. FONG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 234. Joint resolution making continuing appropriations for the Department of Agriculture and the Farm Credit Administration for the fiscal year 1963.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10129) entitled "An act to amend the Act of September 7, 1957, relating to aircraft loan guarantees."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11970) entitled "An act to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic industry, agriculture, and labor, and for other purposes."

The message also announced that the Senate further insists upon its amendment to the bill (H.R. 7927) entitled "An act to adjust postal rates, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON, Mr. MONROE, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 7927) entitled "An act to adjust postal rates, and for other purposes."

HIGHWAY CONSTRUCTION APPROPRIATIONS, 1963

Mr. FALLON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, with Senate amendments thereto, disagree to the amendments of the Senate and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

Mr. HALLECK. Mr. Speaker, reserving the right to object, and I shall not if I am correctly informed. What bill is this?

The SPEAKER. This is the highway bill.

Mr. HALLECK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

The Chair hears none and appoints the following conferees: Messrs. FALLON, PUCINSKI, JONES of Alabama, CRAMER, and BALDWIN.

DEPARTMENT OF DEFENSE AND RELATED AGENCIES APPROPRIATION BILL, 1963

Mr. CANNON submitted the following conference report and statement on the bill (H.R. 12900) making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and certain river basin commissions:

CONFERENCE REPORT (H. REPT. No. 2531)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12900) making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority and certain river basin commissions for the fiscal year ending June 30, 1963, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, and 16.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 9, 17, 20, 21, 22, 23, 24, 25, 26, and 27, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$17,870,300"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$73,504,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$8,400,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$7,010,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$158,218,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$107,808,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$104,576,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,872,224,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$262,745,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amend-

ment insert "\$400,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 4, 13, and 18.

CLARENCE CANNON
MICHAEL J. KIRWAN,
JOHN E. FOGARTY,
BEN F. JENSEN (I reserve on title IV),
JOHN TABER (I reserve on title IV and the \$400,000,000)

Managers on the Part of the House.

ALLEN J. ELLENDER,
CARL HAYDEN,
RICHARD B. RUSSELL,
JOHN L. MCCLELLAN,
LISTER HILL,
SPESARD L. HOLLAND,
ROBERT S. KERR,
JOHN O. PASTORE,
ROMAN L. HRUSKA,
MILTON R. YOUNG,
KARL E. MUNDT,
MARGARET CHASE SMITH,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate on the bill (H.R. 12900) making appropriations for certain civil functions administered by the Department of Defense, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority and certain river basin commissions for the fiscal year ending June 30, 1963, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE 1—DEPARTMENT OF DEFENSE—CIVIL

Corps of Engineers—Civil

General Investigations

Amendment No. 1: Appropriates \$17,870,300 instead of \$16,561,900 as proposed by the House and \$19,192,300 as proposed by the Senate. The funds provided are to be distributed as follows:

Item	Revised budget estimate for fiscal year 1963	Conference allowance	Item	Revised budget estimate for fiscal year 1963	Conference allowance
GENERAL INVESTIGATIONS			GENERAL INVESTIGATIONS—Continued		
1. Surveys:			1. Surveys—Continued		
(a) Navigation studies.....	\$1,600,000	\$2,051,600	(d) Special studies—Continued		
(b) Flood control studies.....	4,600,000	5,428,700	Kanawha River Basin, W. Va.....		\$200,000
(c) Beach erosion cooperative studies.....	250,000	250,000	Subtotal, surveys.....	\$12,110,000	13,255,300
(d) Special studies:			2. Collection and study of basic data:		
San Francisco Bay survey.....	200,000	200,000	(a) Stream gaging (U.S. Geological Survey).....	250,000	250,000
Ohio River Basin review.....	600,000	500,000	(b) Precipitation studies (U.S. Weather Bureau).....	380,000	380,000
Potomac River review.....	75,000	75,000	(c) Fish and wildlife studies (U.S. Fish and Wildlife Service).....	100,000	100,000
Colorado River, Tex.....	228,000	228,000	(d) International water studies.....	85,000	85,000
Great Lakes water levels.....	85,000	110,000	(e) Flood plain studies.....	700,000	700,000
Rampart Canyon, Alaska.....	315,000	315,000	Subtotal, collection and study of basic data.....	1,515,000	1,515,000
Arkansas-Red River pollution study.....	177,000	227,000	3. Research and development:		
Lake Erie-Ohio River Canal.....	220,000	220,000	(a) Beach erosion development studies.....	400,000	400,000
Great Lakes-Hudson River Waterway.....	200,000	200,000	(b) Hydrologic studies.....	175,000	175,000
Lake Erie-Ontario Waterway, N.Y.....	200,000	200,000	(c) Civil works investigations.....	1,550,000	1,300,000
Susquehanna River Basin.....	300,000	300,000	(d) Mississippi Basin model:		
Jersey Meadows, N.Y. and N.J.....	150,000	150,000	(1) Construction.....	650,000	650,000
Red River, La., Ark., Okla., and Tex.....	250,000	300,000	(2) Mississippi River comprehensive study.....	200,000	200,000
Meramec River Basin, Mo.....	215,000	215,000	(e) Nuclear explosives studies for civil construction.....	665,000	500,000
Pascagoula River Basin, Miss.....	100,000	100,000	Subtotal, research and development.....	3,640,000	3,225,000
Williamette River Basin, Oreg.....	100,000	100,000	Other reductions and slippages.....		-125,000
Grand River Basin, Mich.....	100,000	100,000	Total, general investigations.....	17,265,000	17,870,300
Connecticut River Basin.....	100,000	100,000			
Upper Mississippi River Basin.....	200,000	200,000			
White River Basin, Ark. and Mo.....	100,000	100,000			
Brazos River Basin, Tex.....	100,000	140,000			
Hurricane studies.....	945,000	945,000			
Coordination studies with other agencies.....	300,000	300,000			
Basin planning.....	400,000				

87TH CONGRESS
2D SESSION

H. R. 12135

IN THE SENATE OF THE UNITED STATES

OCTOBER 4, 1962

Ordered to be printed with the amendments of the Senate numbered

AN ACT

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Federal-Aid
5 Highway Act of 1962".

6 AUTHORIZATIONS

7 SEC. 2. For the purpose of carrying out the provisions
8 of title 23 of the United States Code the following sums
9 are hereby authorized to be appropriated:

10 (1) For the Federal-aid primary system and the

1 Federal-aid secondary system and for their extension within
 2 urban areas, out of the Highway Trust Fund, \$950,000,000
 3 for the fiscal year ending June 30, 1964, and ~~(1)\$975,000,~~
 4 ~~000 \$950,000,000~~ for the fiscal year ending June 30, 1965.

5 The sums authorized in this paragraph for each fiscal year
 6 shall be available for expenditure as follows:

7 (A) 45 per centum for projects on the Federal-aid
 8 primary highway system;

9 (B) 30 per centum for projects on the Federal-aid
 10 secondary highway system; and

11 (C) 25 per centum for projects on extensions of
 12 the Federal-aid primary and Federal-aid secondary
 13 highway systems in urban areas.

14 (2) For forest highways, \$33,000,000 for the fiscal
 15 year ending June 30, 1964, and \$33,000,000 for the fiscal
 16 year ending June 30, 1965.

17 (3) For forest development roads and trails, an addi-
 18 tional ~~(2)\$10,000,000~~ \$20,000,000 for the fiscal year end-
 19 ing June 30, 1963, \$70,000,000 for the fiscal year ending
 20 June 30, 1964, and \$85,000,000 for the fiscal year ending
 21 June 30, 1965.

22 (4) For public lands development roads and trails,
 23 \$2,000,000 for the fiscal year ending June 30, 1964, and
 24 \$4,000,000 for the fiscal year ending June 30, 1965.

25 (5) For park roads and trails, \$22,000,000 for the

1 fiscal year ending June 30, 1964, and \$25,000,000 for the
 2 fiscal year ending June 30, 1965.

3 (6) For parkways, ~~(3) \$16,000,000~~ \$16,550,000 for
 4 the fiscal year ending June 30, 1964, and \$16,000,000 for
 5 the fiscal year ending June 30, 1965.

6 (7) For Indian reservation roads and bridges, \$16,-
 7 000,000 for the fiscal year ending June 30, 1964, and
 8 \$18,000,000 for the fiscal year ending June 30, 1965.

9 ~~(4)(8) For public lands highways, \$3,000,000 for the~~
 10 ~~fiscal year ending June 30, 1964, and \$3,000,000 for the~~
 11 ~~fiscal year ending June 30, 1965.~~

12 (8) *For public lands highways, the additional sum of*
 13 *\$6,000,000 for the fiscal year ending June 30, 1963, and*
 14 *the sum of \$9,000,000 for the fiscal year ending June 30,*
 15 *1964, and \$9,000,000 for the fiscal year ending June 30,*
 16 *1965.*

17 (5) THE RAMA ROAD

18 SEC. 3. *That in order to provide for completion of the*
 19 *Rama Road in the Republic of Nicaragua, there is hereby*
 20 *authorized to be appropriated to the Department of State,*
 21 *in addition to the sums heretofore authorized, the sum of*
 22 *\$850,000, to be available until expended, for discharging*
 23 *the United States obligation under the applicable agreement*
 24 *with the Government of Nicaragua: Provided, That the sur-*
 25 *vey and construction work shall be under the general super-*

1 vision of the Secretary of Commerce: Provided further,
2 That funds provided pursuant to this authorization shall
3 not be available for expenditure except under the conditions
4 set forth in section 213 of title 23, United States Code,
5 with respect to the authorization contained in that section:
6 And provided further, That the funds authorized in this
7 section shall be available for contract immediately upon the
8 passage of this Act.

9 **(6)**THE INTER-AMERICAN HIGHWAY

10 SEC. 4. That, for the purpose of completing the construc-
11 tion of the Inter-American Highway, there is hereby author-
12 ized to be appropriated the additional sum of \$32,000,000
13 to be expended in accordance with the provisions of section 212
14 of title 23 of the United States Code: Provided, That no part
15 of such sum shall be obligated in any country until that
16 country demonstrates, to the satisfaction of the Secretary, that
17 it is capable of and willing to meet its commitment for main-
18 tenance under the agreements entered into pursuant to the
19 provisions of section 212(a)(5) of title 23, United States
20 Code: And provided further, That the funds authorized here-
21 in shall be available for contract immediately upon passage
22 of this Act and compliance with such commitment.

1 ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

2 SEC. ~~(7)~~ 5. (a) Chapter 1 of title 23 of the United
3 States Code is amended by adding at the end thereof the
4 following new section:

5 “§ 133. Relocation assistance

6 “(a) As used in this section the term ‘eligible person’
7 means any individual, family, business concern (including
8 the operation of a farm), and nonprofit organization to be
9 displaced by construction of a project.

10 “(b) The Secretary, prior to his approval of any project
11 under section 106 of this title for right-of-way acquisition or
12 actual construction, shall require the State highway depart-
13 ment to give satisfactory assurance that relocation advisory
14 assistance shall be provided for the relocation of families
15 displaced by acquisition or clearance of rights-of-way for any
16 Federal-aid highway.

17 “(c) The Secretary shall approve, as a part of the cost
18 of construction of a project on any of the Federal-aid high-
19 way systems, such relocation payments as may be made by
20 a State highway department, or a local public agency act-
21 ing as an agent for the State highway department for this
22 purpose, to eligible persons for their reasonable and neces-

1 sary moving expenses caused by their displacement from
2 real property acquired for such project. However, the
3 Secretary shall not require a State to pay relocation pay-
4 ments where not authorized by State law.

5 “(d) Payments under this section shall be subject to
6 such rules and regulations as may be prescribed by the
7 Secretary, and shall not exceed \$200 in the case of an
8 individual or family, or \$3,000 in the case of a business con-
9 cern (including the operation of a farm) or nonprofit or-
10 ganization. In the case of a business (including the opera-
11 tion of a farm) and in the case of a nonprofit organization,
12 the allowable expenses for transportation under this sub-
13 section shall not exceed the cost of moving 50 miles from the
14 point from which such business or organization is being dis-
15 placed. Such rules and regulations may include provisions
16 authorizing reimbursement for payments made to individuals
17 and families of fixed amounts (not to exceed \$200 in any
18 case) in lieu of their respective reasonable and necessary
19 moving expenses.

20 “(e) This section shall apply only with respect to proj-
21 ects approved under section 106 of this title after the date
22 of enactment of this section.”

23 (b) The analysis of chapter 1 of title 23 of the United

1 States Code is amended by adding at the end thereof the
2 following:

“133. Relocation assistance.”

3 PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

4 SEC. ~~(8)~~ 4 6. (a) Section 101 of title 23, United States
5 Code, is amended by inserting immediately after the para-
6 graph which begins “The term ‘project agreement’ means”,
7 the following:

8 “The term ‘public lands development roads and trails’
9 means those roads and trails which the Secretary of the In-
10 terior determines are of primary importance for the devel-
11 opment, protection, administration, and utilization of public
12 lands and resources under his control.”

13 (b) Chapter 2 of title 23 of the United States Code is
14 amended by adding at the end thereof the following new
15 section:

16 **“§ 214. Public lands development roads and trails**

17 “(a) Funds available for public lands development
18 roads and trails shall be used to pay the cost of construction
19 and improvement of such roads and trails.

20 “(b) Funds available for public lands development roads
21 and trails shall be available for adjacent vehicular parking
22 areas and for sanitary, water, and fire control facilities.

1 “(c) The Secretary shall approve the location, type,
2 and design of all projects for public lands development roads
3 and trails before any expenditures are made thereon and
4 all construction thereof shall be under the general super-
5 vision of the Secretary.”

6 (c) The analysis of chapter 2 of title 23 is amended by
7 adding at the end thereof the following:

“214. Public lands development roads and trails.”

8 AVAILABILITY OF FUNDS—OTHER HIGHWAYS

9 SEC. ~~(9)~~ 7. Section 203 of title 23 of the United States
10 Code is amended by inserting immediately before the phrase
11 “park roads and trails”, at each of the two places it appears
12 in such section, the following: “public lands development
13 roads and trails,”.

14 FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN

15 AREAS

16 SEC. ~~(10)~~ 8. (a) The last sentence of subsection (c)
17 of section 103 of title 23, United States Code, is amended to
18 read as follows: “This system may be located both in rural
19 and urban areas, but any extension of the system into urban
20 areas shall be subject to the condition that such extension
21 pass through the urban area or connect with another Federal-
22 aid system within the urban area.”

1 (b) The amendment made by subsection (a) of this
2 section shall apply to apportionments made before as well as
3 after the date of enactment of this Act.

4 TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

5 SEC. ~~(11)~~7 9. (a) Chapter 1 of title 23, United States
6 Code, is amended by adding immediately following section
7 133 the following new section:

8 **“§ 134. Transportation planning in certain urban areas**

9 “It is declared to be in the national interest to encourage
10 and promote the development of transportation systems,
11 embracing various modes of transport in a manner that
12 will serve the States and local communities efficiently and
13 effectively. To accomplish this objective the Secretary shall
14 cooperate with the States, as authorized in this title, in the
15 development of long-range highway plans and programs
16 which are properly coordinated with plans for improvements
17 in other affected forms of transportation and which are for-
18 mulated with due consideration to their probable effect on
19 the future development of urban areas of more than fifty
20 thousand population. After July 1, 1965, the Secretary
21 shall not approve under section 105 of this title any program
22 for projects in any urban area of more than fifty thousand
23 population unless he finds that such projects are based on a

1 continuing comprehensive transportation planning process
 2 carried on cooperatively by States and local communities in
 3 conformance with the objectives stated in this section.”

4 (b) The analysis of chapter 1 of title 23, United States
 5 Code, is amended by adding at the end thereof the following:

“134. Transportation planning in certain urban areas.”

6 RURAL DELIVERY AND STAR ROUTE MILEAGE

7 SEC. ~~(12)~~8 10. (a) Subsection (b) (1) of section 104
 8 of title 23 of the United States Code is amended by striking
 9 out “preceding fiscal year” and inserting in lieu thereof
 10 “preceding calendar year”.

11 (b) The amendments made by subsection (a) of this
 12 section shall be applicable only with respect to apportion-
 13 ments made after the date of enactment of this Act.

14 HIGHWAY PLANNING AND RESEARCH FUNDS

15 SEC. ~~(13)~~9 11. Subsection (c) of section 307 of title 23
 16 of the United States Code is amended by inserting “(1)”
 17 immediately after “(c)”, by striking out “any year” and
 18 inserting in lieu thereof “each fiscal year prior to the fiscal
 19 year 1964”, and by adding at the end thereof the following:

20 “(2) One and one-half per centum of the sums appor-
 21 tioned for each fiscal year beginning with the fiscal year
 22 1964 to any State under section 104 of this title shall be
 23 available for expenditure by the State highway department

1 only for the purposes enumerated in paragraph (1) of this
2 subsection.

3 “(3) In addition to the percentage provided in para-
4 graph (2) of this subsection, not to exceed one-half of 1
5 per centum of sums apportioned for each fiscal year begin-
6 ning with the fiscal year 1964 under paragraphs (1), (2),
7 and (3) of section 104 (b) of this title shall be available for
8 expenditure upon request of the State highway department
9 for ~~(14) the purposes enumerated in paragraph (1) of this~~
10 ~~subsection~~ *highway research purposes*.

11 “(4) Sums made available under paragraphs (2) and
12 (3) of this subsection shall be matched by the State in ac-
13 cordance with section 120 of this title unless the Secretary
14 determines that the interests of the Federal-aid highway pro-
15 gram would be best served without such matching.”

16 DEFINITIONS

17 SEC. ~~(15)~~ 12. For the purposes of section 2 of this Act
18 each of the following terms shall have the same meaning as is
19 given it in section 101 of title 23 of the United States Code:

- 20 (1) Forest development roads and trails;
- 21 (2) Forest highway;
- 22 (3) Indian reservation roads and bridges;
- 23 (4) Park roads and trails;
- 24 (5) Parkway;

- 1 (6) Public lands highways;
- 2 (7) Federal-aid primary system;
- 3 (8) Federal-aid secondary system;
- 4 (9) Urban area;
- 5 (10) Public lands development roads and trails.

6 **(16)**SEC. 13. (a) *That the Secretary of Commerce, in*
7 *cooperation with the State of Alaska, is hereby authorized*
8 *to make engineering studies and estimates and planning sur-*
9 *veys relative to a highway construction program for the State*
10 *of Alaska, and, in accordance with treaties or other agree-*
11 *ments to be negotiated with Canada by the Secretary of State*
12 *in consultation with the Secretary of Commerce, engineering*
13 *studies, estimates, and planning surveys relative to roads in*
14 *Canada to connect with Alaska.*

15 (b) *On or before May 15, 1964, the Secretary of*
16 *Commerce shall submit a report to the Congress which shall*
17 *include—*

18 (1) *an analysis of the adequacy of the Federal-aid*
19 *highway program to provide for a satisfactory program*
20 *in both the populated and the undeveloped areas in*
21 *Alaska;*

22 (2) *specific recommendations as to the construc-*
23 *tion of roads through undeveloped areas of Alaska and*
24 *to connect them with roads in Canada; and*

25 (3) *a feasible program for implementing such spe-*

1 *cific recommendations, including cost estimates, recom-*
2 *mendations as to the sharing of cost responsibilities,*
3 *and other pertinent matters.*

4 *(c) From time to time, either before or after submission*
5 *of the report provided for in subsection (b) of this section,*
6 *the Secretary of Commerce may submit recommendations to*
7 *the Congress with respect to the construction of particular*
8 *highways to carry out the purposes of this section.*

9 *(d) Nothing in this section shall be construed as creating*
10 *any obligation in the Congress, express or implied, to carry*
11 *out the recommendations referred to in subsections (b) and*
12 *(c).*

13 *(e) There is hereby authorized to be appropriated,*
14 *out of any money in the Treasury not otherwise appro-*
15 *priated, to be available until expended, the sum of \$800,000*
16 *for the purpose of making the studies, surveys, and report*
17 *authorized by subsections (a) and (b).*

Passed the House of Representatives July 18, 1962.

Attest:

RALPH R. ROBERTS,

Clerk.

Passed the Senate with amendments October 4, 1962.

Attest:

FELTON M. JOHNSTON,

Secretary.

87TH CONGRESS
2^D Session

H. R. 12135

AN ACT

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 4, 1962

Ordered to be printed with the amendments of the
Senate numbered

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued Oct. 11, 1962
For actions of Oct. 10, 1962
87th-2d, No. 186

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HIGHLIGHTS: House rejected Senate USDA appropriation continuation measure. Sens. Russell and Morse criticized House action on USDA appropriation continuation measure. Sen. Proxmire opposed mandatory controls on feed grains. Sen. Humphrey commended administration farm program. Both Houses agreed to conference report on State-Justice-Commerce appropriation bill. House received conference report on roads bill.

HOUSE

1. **AGRICULTURAL APPROPRIATION BILL, 1963.** By a vote of 245 to 1, agreed to H. Res. 831, "That Senate Joint Resolution 234, making appropriations for the Department of Agriculture and the Farm Credit Administration for the fiscal year 1963, in the opinion of the House, contravenes the first clause of the seventh section of the first article of the Constitution and is an infringement of the privileges of this House, and that the said joint resolution be taken from the Speaker's table and be respectfully returned to the Senate with a message communicating this resolution." pp. 21785-7
2. **ROADS.** Received the conference report on H. R. 12135, the proposed Federal-Aid Highway Act of 1962 (H. Rept. 2549). This bill includes authorizations of \$33,000,000 for the fiscal year 1964 and \$33,000,000 for the fiscal year 1965 for forest highways, and for forest development roads and trails \$10,000,000 additional for 1963, \$70,000,000 for 1964, and \$85,000,000 for 1965. pp. 21852-3

pp. 21852-3, 21888

3. PUBLIC WORKS. Conferees were appointed on H. R. 13273, the omnibus rivers, harbors, and flood control bill. Senate conferees have not yet been appointed. Earlier agreed to a resolution to send this bill to conference. pp. 21787-802, 21803, 21888
Rep. Saylor criticized certain provisions of this bill as it passed the Senate. pp. 21824-5
4. STATE-JUSTICE-COMMERCE APPROPRIATION BILL, 1963. Both Houses agreed to the conference report on this bill, H. R. 12580, and acted on amendments in disagreement. This bill will now be sent to the President. This bill includes \$115,050,000 for the Area Redevelopment Administration, \$3,625,000 for export control, and \$32,000,000 for forest highways. pp. 21757-63, 21803-8
5. LANDS; EASEMENTS. Concurred in the Senate amendment to H. R. 8355, to authorize executive agencies to grant easements in, over, or upon real property of the U. S. under the control of such agencies. This bill will now be sent to the President. p. 21784
6. BUILDINGS; CONTRACTS. Rep. Bow objected to a unanimous consent request to send to conference H. R. 11860, to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, including agricultural attache housing. p. 21784
7. PAY BILL. Rep. Johansen criticized the passage of the pay bill. pp. 21802-3
8. TRANSPORTATION. Agreed to the conference report on H. R. 5700, to amend the Tariff Act of 1930 to permit contract carriers by motor vehicle to transport bonded merchandise. This bill will now be sent to the President. p. 21809
9. MINING. Began consideration of the conference report on S. 3451, to provide relief for residential occupants of unpatented mining claims upon which valuable improvements have been placed. pp. 21817-20
10. D. C. APPROPRIATION BILL, 1963. Received the conference report on this bill, H. R. 12276 (H. Rept. 2548). pp. 21851-2, 21888
11. ELECTRIFICATION. Rep. Pfoest urged enactment of legislation to retain for the Northwest first call on Northwest power. pp. 21869-70
12. CRANBERRIES. Received from GAO a report on the review of the cranberry indemnity payment program administered by AMS. p. 21888
13. LEGISLATIVE ACCOMPLISHMENTS. Several Representatives inserted statements on the legislative record of the 87th Congress. pp. 21821-4, 21857-8, 21870-1, 21883-6
14. LEGISLATIVE PROGRAM. Rep. Albert announced that the conference reports on S. 3451, unpatented mining claims, H. R. 12276, the D.C. appropriation bill, and H. R. 12135, the highway bill, will be considered on Thurs. p. 21820

SENATE

15. FARM PROGRAM. Sen. Humphrey commended the administration's farm program, reviewed recent improvements in the farm economy, stated that "the agricultural economy of this Nation is in a decided upswing," and inserted a news release of this Department containing a statement of the National Agricultural Advisory

FEDERAL-AID HIGHWAY ACT OF 1962

OCTOBER 10, 1962.—Ordered to be printed

Mr. FALLON, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 12135]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, and 14.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, and 15, and agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

INTER-AMERICAN HIGHWAY

SEC. 4. For the purpose of completing the construction of the Inter-American Highway, there is hereby authorized to be appropriated the additional sum of \$32,000,000 to be expended in accordance with the provisions of section 212 of title 23 of the United States Code: Provided, That no part of such sum shall be obligated in any country until that country demonstrates, to the satisfaction of the Secretary, that it is capable of and willing to meet its commitment for maintenance under the agreements entered into pursuant to the provisions of section 212(a)(5) of title 23, United States Code. Not to exceed \$12,000,000 of the funds authorized herein shall be available for contract immediately upon enactment of this Act in compliance with such commitment, except that such contract authority shall be reduced by such amounts as are appro-

priated for construction of the Inter-American Highway by the Eighty-seventh Congress, second session.

And the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

ALASKA HIGHWAY STUDY

SEC. 13. (a) The Secretary of Commerce, in cooperation with the State of Alaska, is hereby authorized to make engineering studies and estimates and planning surveys relative to a highway construction program for the State of Alaska, and, in accordance with treaties or other agreements to be negotiated with Canada by the Secretary of State in consultation with the Secretary of Commerce, engineering studies, estimates, and planning surveys relative to connecting Alaskan roads with Canadian roads at the International boundary.

(b) On or before May 15, 1964, the Secretary of Commerce shall submit a report to the Congress which shall include—

(1) an analysis of the adequacy of the Federal-aid highway program to provide for a satisfactory program in both the populated and the undeveloped areas in Alaska;

(2) specific recommendations as to the construction of roads through undeveloped areas of Alaska and connection of such roads with Canadian roads at the International boundary; and

(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

(c) From time to time, either before or after submission of the report provided for in subsection (b) of this section, the Secretary of Commerce may submit recommendations to the Congress with respect to the construction of particular highways to carry out the purposes of this section.

(d) Nothing in this section shall be construed as creating any obligation in the Congress, express or implied, to carry out the recommendations referred to in subsections (b) and (c).

(e) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of \$800,000 for the purpose of making the studies, surveys, and report authorized by subsections (a) and (b) hereof.

And the Senate agree to the same.

GEORGE H. FALLON,
JOHN C. KLUCZYNSKI,
ROBERT E. JONES,
WILLIAM C. CRAMER,
JOHN F. BALDWIN,

Managers on the Part of the House.

ROBT. S. KERR,
PAT McNAMARA,
JENNINGS RANDOLPH,
JOHN SHERMAN COOPER,
HIRAM L. FONG,

Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 3: The House bill provided an authorization of \$16,000,000 for parkways for the fiscal year ending June 30, 1964. Senate amendment No. 3 provided for an authorization of \$16,550,000 for such purpose. It is the intention of the conferees that nothing shall be construed as specifically earmarking any of this authorization for particular projects in particular States. The House recedes.

Amendment No. 4: The House bill provided authorization of \$3,000,000 for public lands highways for the fiscal year ending June 30, 1964, and \$3,000,000 for the fiscal year ending June 30, 1965. Senate amendment No. 4 provided authorization of an additional \$6,000,000 for public lands highways for the fiscal year ending June 30, 1963; \$9,000,000 for the fiscal year ending June 30, 1964; and \$9,000,000 for the fiscal year ending June 30, 1965. It is the intention of the conferees that nothing shall be construed as specifically earmarking any of this authorization for particular projects in particular States. The House recedes.

Amendment No. 5: The House bill contained no comparable provision. Senate amendment No. 5 provides for the completion of the Rama Road with an additional authorization of \$850,000 for that purpose. It requires that survey and construction work shall be under the supervision of the Secretary of Commerce and requires the expenditure of funds to be under the conditions set forth in section 213 of title 23 of the United States Code which apply to the authorization contained in that section. It also authorizes funds to be available for contract immediately. The House recedes.

Amendment No. 6: The House bill contains no comparable provision. Senate amendment No. 6 authorizes an additional appropriation of \$32,000,000 for the completion of the Inter-American Highway. This sum is to be expended in accordance with section 212 of title 23 of the United States Code. No part of that sum shall be obligated in any country until it demonstrates to the satisfaction of the Secretary of Commerce that it is capable of and willing to meet its commitment for maintenance. These sums are authorized to be available for contract immediately on passage of the act and compliance with the commitment. The House recedes with an amendment which is identical with the Senate amendment, except that there is imposed a restriction of not to exceed \$12,000,000 on the contractual authority, with the further limitation that this \$12,000,000 contractual authority

shall be reduced by any amounts appropriated for the Inter-American Highway during this session of the 87th Congress.

Amendment No. 16: Senate amendment No. 16 requires the Secretary of Commerce to make engineering studies and estimates and planning surveys relative to the Alaska highway construction program, including possible interconnections between Alaskan and Canadian highways, requires detailed reports to Congress, authorizes the submission of recommendations to Congress, disclaims the creation of any obligation on the part of Congress to carry out these recommendations, and authorizes the expenditure of \$800,000 to carry out these purposes. The House bill contained no such provision. The House recedes with an amendment which is the same as the Senate amendment except for clarification of certain language to insure that there is no authority to make any extraterritorial study, estimate, or plan of highways in Canada.

Amendments Nos. 7, 8, 9, 10, 11, 12, 13, and 15: These amendments are clerical; the House recedes.

GEORGE H. FALLON,
JOHN C. KLUCZYNSKI,
ROBERT E. JONES,
WILLIAM C. CRAMER,
JOHN F. BALDWIN,

Managers on the Part of the House.



that she was a person with whom you could readily work. She was most helpful, most cooperative. She would not only work with you but under any circumstance she would work for you. I feel that Georgia will have lost the services of a very fine person because she felt it necessary to retire.

As you have heard my colleague, the gentleman from Georgia [Mr. FORRESTER] state, Congresswoman BLITCH is the first lady from Georgia to serve in the House of Representatives. When she joined the House of Representatives as the first lady to serve in that body from Georgia, she also followed another example that Georgia had set to the Nation by sending the first woman to serve in the Senate of the United States. So that she and Georgia have proven that the ladies have a definite and most important part in the political community of our State.

As she leaves the Congress, it puts me in mind of Francis S. Bartow, of Georgia, when, as a Confederate soldier he left home and what he said as he left his colleagues and friends at home was that "I go to illustrate Georgia." Francis S. Bartow died in the First Battle of Manassas. IRIS BLITCH also came here to illustrate Georgia.

Madam Speaker, I thank the gentleman.

Mr. LANGEN. Madam Speaker, will the gentleman yield?

Mr. FORRESTER. I am delighted to yield to my distinguished colleague.

Mr. LANGEN. Madam Speaker, I thank my colleague for yielding. I take this time so that I may join my distinguished colleagues from Georgia in paying a proper and much deserved recognition to the services of our colleague from Georgia [Mrs. BLITCH].

It was not my privilege to learn to know her personally real well during the course of my service here, but I should say that it would have been impossible for anyone to serve here for long without having been completely aware of her effective, untiring, and dedicated efforts. I know that many of my colleagues on this side of the aisle who have had occasion to serve with her on committees and to work with her on the many projects she had occasion to support have recognized her dedication and the effectiveness of her efforts on so many noteworthy occasions. So to that degree it has truly been my loss that I did not have the opportunity of benefiting to a greater degree from the extent of knowledge and dedication that she brought to this House.

On occasions of this kind it always occurs to me that there are no combinations of words or phrases that can possibly pay deserved praise, and certainly not compensate, for this kind of untiring effort. It would be my hope that the knowledge might be conveyed to her that the results and fruits of her efforts will live on for a good many years and will be recognized by her constituents in the district she served so effectively, and certainly throughout the United States and the world.

I should like to add on behalf of myself and others on this side of the aisle

our very fond hope that the future may hold for her a very generous portion of happiness.

Mr. FORRESTER. Madam Speaker, the Georgia delegation generally appreciates the splendid remarks of our colleague, the gentleman from Minnesota.

Mr. LIBONATI. Madam Speaker, will the gentleman yield?

Mr. FORRESTER. I would be most happy to yield to our distinguished colleague from Illinois, one who has the respect and effection of every member of the Georgia delegation, the gentleman from Illinois [Mr. LIBONATI].

Mr. LIBONATI. Madam Speaker, it is difficult to speak of one who departs from this House voluntarily or otherwise. The profession of politics is a difficult one. It is not easy to determine the sacrifices one makes in following a career of public service because it is the constant application of one's service to others. This is doubly so for a woman who enters the political lists. Certainly for the gentleman from Georgia [Mrs. BLITCH] the fact of her having the confidence of her constituency over the years and having served four terms in this Congress is enough evidence as to the high esteem in which she is held by the electorate of her district.

Unfortunately, her health gave way under the stress and strain that even the most strong of the men feel at times in this House, as evidenced by the high casualties that occur. When one sees the retirement of a woman whose fortitude and strength of purpose are measured in the records of this House, who served so valiantly and held so strongly to her understanding of other people and her determination to make her ideas felt in her decisions, being strong in her attitude toward those things which she supported, one cannot find fault with such a courageous person. The gentleman from Georgia, who has served so consistently without any regard to personal reactions on legislation, and who did so with honest strength and the feeling that what she was doing was right, deserves the commendation of all the Members of this House as well as the State of Georgia and the Nation.

Many times we are critical of others as to their point of view. But if one were only to look at a situation or a problem through the eyes of that person and understand the situation and the community as that person does, certainly, they could come to no other conclusion. Therefore, I rise at this time to pay my respects to her loyalty to her causes and to her understanding and to her work over the years—qualities that made her important to the State of Georgia and to her constituents in representing their problems and their philosophies on the floor of the House of Representatives for others to weigh and to adjudicate.

I thank the distinguished gentleman from Georgia for yielding to me at this time and extending to me this opportunity to express my sincere appreciation of this fine person.

Mr. FORRESTER. Madam Chairman, the Georgia delegation is highly grateful

to the gentleman from Illinois [Mr. LIBONATI] for the splendid tribute paid to our colleague, Congresswoman BLITCH.

GENERAL LEAVE TO EXTEND

Mr. FORRESTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the character and service of our colleague, the gentleman from Georgia [Mrs. BLITCH].

The SPEAKER pro tempore (Mrs. GRANAHAN). Without objection, it is so ordered.

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1963

Mr. NATCHER submitted the following conference report and statement on the bill (H.R. 12276) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1963, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2548)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12276) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1963, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, and 24, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$57,587,800"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$57,248,400"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 7, 8, 10, 11, 12, 19, 25, 26, and 27.

WILLIAM H. NATCHER,
ALFRED E. SANTANGELO,
CLARENCE CANNON,
JOHN J. RHODES,
JOHN TABER,

Managers on the Part of the House.

ROBERT C. BYRD,
CARL HAYDEN,
GALE W. MCGEE,
A. WILLIS ROBERTSON,
J. GLENN BRALL,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12276) making appropriations for the government of the District of Columbia and other activities

chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1963, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

OPERATING EXPENSES

Amendment No. 1—General operating expenses: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will provide an appropriation of \$15,974,250 instead of \$16,005,000 as proposed by the House and \$15,992,600 as proposed by the Senate.

In this item as in all subsequent cases reductions proposed by the Senate due to late passage of the bill have been agreed to. Increases proposed by the Senate have been agreed to with the exception of \$18,350 for a realty officer, an appraiser, and one clerk.

Amendment No. 2—General operating expenses: Provides \$161,000 payable from the highway fund as proposed by the House instead of \$179,350 as proposed by the Senate.

Amendment No. 3—Public safety: Appropriates \$57,587,800 instead of \$57,560,000 as proposed by the House and \$57,676,400 as proposed by the Senate. The conferees have agreed to provide for 10 additional correctional officers in the amount of \$28,500 in lieu of 40 such officers provided for by the Senate. Other revisions made by the Senate in the House bill have been approved with the exception of the budget clerk in the Municipal Court.

Amendment No. 4—Education: Deletes language proposed by the Senate.

Amendment No. 5—Education: Appropriates \$57,248,400 instead of \$56,817,000 as proposed by the House and \$57,284,600 as proposed by the Senate. The conferees have approved the following increases: \$192,300 for 41 additional teachers, \$61,800 for additional counselors and \$63,100 for costs related to the program to improve education for culturally deprived children, as proposed by the Senate. The conferees are in agreement with the proposal of the Senate to provide \$135,400 for a one-time complete replacement of obsolete textbooks, but the additional amount of \$25,000 proposed by the Senate for elementary school library books has been denied. Increases provided by the Senate for 2 librarians in elementary schools and for membership in the Research Council of the Great Cities Program have been denied.

Amendment No. 6—Education: Provides \$574,200 for the development of vocational education as proposed by the Senate instead of \$576,700 as proposed by the House.

Amendment No. 7—Education: Reported in disagreement.

Amendment No. 8—Parks and recreation: Reported in disagreement.

Amendment No. 9—Health and welfare: Deletes language proposed by the Senate.

Amendment No. 10—Health and welfare: Reported in disagreement.

Amendment No. 11—Health and welfare: Reported in disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur with an amendment which will appropriate \$65,386,300 instead of \$66,528,000 as proposed by the House and \$65,608,100 as proposed by the Senate. The conferees are in agreement with the action of the Senate with the exception that an increase of 25 rather than 50 positions is provided for Junior Village.

In agreeing to the amount of \$48,750 for the continuation of the Temporary Home for Soldiers and Sailors the committee of conference wishes it understood that next year some other arrangement for financing this activity must be undertaken.

Amendment No. 12—Health and welfare: Reported in disagreement.

Amendments Nos. 13, 14, and 15—Highways and traffic: Appropriate \$11,418,000, of which \$7,652,126 shall be payable from the highway fund (including \$1,642,100 from the motor vehicle parking account), as proposed by the Senate instead of \$11,470,000, of which \$7,700,476 shall be payable from the highway fund (including \$1,644,000 from the motor vehicle parking account), as proposed by the House.

Amendments Nos. 16, 17, and 18—Sanitary engineering: Appropriate \$20,760,800 of which \$6,861,375 shall be payable from the water fund and \$3,936,650 shall be payable from the sanitary sewage works fund as proposed by the Senate instead of \$20,789,000, of which \$6,872,975 shall be payable from the water fund and \$3,948,600 shall be payable from the sanitary sewage works fund as proposed by the House.

CAPITAL OUTLAY

Amendment No. 19—Capital outlay: Reported in disagreement.

Amendment No. 20—Capital outlay: Provides \$162,000 for purchase of equipment for new school buildings as proposed by the Senate instead of \$223,000 as proposed by the House.

Amendments Nos. 21, 22, 23, and 24—Capital outlay: Appropriate \$49,451,000 of which \$14,500,000 shall not become available for expenditure until July 1, 1963, \$9,871,142 shall be payable from the highway fund and \$1,193,700 shall be available for construction services as proposed by the Senate instead of \$49,713,000 of which \$13,500,000 shall not be available for expenditure until July 1, 1963, \$10,631,142 shall be payable from the highway fund and \$1,158,700 shall be available for construction services as proposed by the House.

The committee of conference is agreed that construction of the Three Sisters Bridge should proceed according to the plan set forth in the budget in the amount of \$300,000 as provided in the bill. Furthermore, it is the view of the committee of conference that no funds allocated to the District of Columbia's highway program shall be used for the construction of the Glover-Archbold Parkway. The committee of conference further recommends that the District of Columbia cooperate in the preservation of this natural park.

Amendment No. 25—Capital outlay: Reported in disagreement.

GENERAL PROVISIONS

Amendments Nos. 26 and 27—General provisions: Reported in disagreement.

WILLIAM H. NATCHER,
ALFRED E. SANTANGELO,
CLARENCE CANNON,
JOHN J. RHODES,
JOHN TABER,

Managers on the part of the House.

FEDERAL-AID HIGHWAY ACT OF 1962

Mr. FALLON submitted the following conference report and statement on the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2549)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, and 14.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, and 15, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"INTER-AMERICAN HIGHWAY

"Sec. 4. For the purpose of completing the construction of the Inter-American Highway, there is hereby authorized to be appropriated the additional sum of \$32,000,000 to be expended in accordance with the provisions of section 212 of title 23 of the United States Code: *Provided*, That no part of such sum shall be obligated in any country until that country demonstrates, to the satisfaction of the Secretary, that it is capable of and willing to meet its commitment for maintenance under the agreements entered into pursuant to the provisions of section 212(a)(5) of title 23, United States Code. Not to exceed \$12,000,000 of the funds authorized herein shall be available for contract immediately upon enactment of this Act in compliance with such commitment, except that such contract authority shall be reduced by such amounts as are appropriated for construction of the Inter-American Highway by the Eighty-seventh Congress, second session."

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"ALASKA HIGHWAY STUDY

"Sec. 13. (a) The Secretary of Commerce, in cooperation with the State of Alaska, is hereby authorized to make engineering studies and estimates and planning surveys relative to a highway construction program for the State of Alaska, and, in accordance with treaties or other agreements to be negotiated with Canada by the Secretary of State in consultation with the Secretary of Commerce, engineering studies, estimates, and planning surveys relative to connecting Alaskan roads with Canadian roads at the International boundary.

"(b) On or before May 15, 1964, the Secretary of Commerce shall submit a report to the Congress which shall include—

"(1) an analysis of the adequacy of the Federal-aid highway program to provide for a satisfactory program in both the populated and the undeveloped areas in Alaska;

"(2) specific recommendations as to the construction of roads through undeveloped areas of Alaska and connection of such roads with Canadian roads at the International boundary; and

"(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

"(c) From time to time, either before or after submission of the report provided for in subsection (b) of this section, the Secretary of Commerce may submit recommendations to the Congress with respect to the construction of particular highways to carry out the purposes of this section.

"(d) Nothing in this section shall be construed as creating any obligation in the Congress, express or implied, to carry out the recommendations referred to in subsections (b) and (c).

"(e) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available

[illegible]

" Salary class and position	Service step 1	Service step 2	Service step 3	Service step 4	Service step 5	Service step 6	Service step 7	Service step 8	Service step 9
Class 7:									
Group B, master's degree.....	\$10,350	\$10,600	\$10,850	\$11,100	\$11,350	\$11,600	\$11,850	\$12,100	\$12,350
Group C, master's degree plus 30 credit hours.....	10,550	10,800	11,050	11,300	11,550	11,800	12,050	12,300	12,550
Director, elementary education (administration).									
Director, elementary education.									
Director, special education.									
Class 8:									
Group B, master's degree.....	9,850	10,100	10,350	10,600	10,850	11,100	11,350	11,600	11,850
Group C, master's degree plus 30 credit hours.....	10,050	10,300	10,550	10,800	11,050	11,300	11,550	11,800	12,050
Assistant principal, elementary school.									
Assistant principal, junior high school.									
Assistant principal, senior high school.									
Assistant principal, vocational high school.									
Assistant principal, Americanization School.									
Assistant principal, health school.									
Dean of students, teachers college.									
Director, school attendance.									
Registrar, teachers college.									
Supervising director, adult education and summer school.									
Supervising director, athletics.									
Supervising director, curriculum.									
Supervising director, elementary education (super- vision and instruction).									
Supervising director, reading clinic.									
Supervising director, subject field.									
Professor, teachers college.									
Class 9:									
Group A, bachelor's degree.....	8,940	9,190	9,440	9,690	9,940	10,190	10,440	10,690	10,940
Group B, master's degree.....	9,440	9,690	9,940	10,190	10,440	10,690	10,940	11,190	11,440
Group C, master's degree plus 30 credit hours.....	9,640	9,890	10,140	10,390	10,640	10,890	11,140	11,390	11,640
Assistant director, food services.									
Supervising director, audio-visual instruction.									
Class 10:									
Group B, master's degree.....	9,030	9,280	9,530	9,780	10,030	10,280	10,530	10,780	11,030
Group C, master's degree plus 30 credit hours.....	9,230	9,480	9,730	9,980	10,230	10,480	10,730	10,980	11,230
Assistant director, adult education and summer schools.									
Statistician.									
Class 11:									
Group B, master's degree.....	8,620	8,870	9,120	9,370	9,620	9,870	10,120	10,370	10,620
Group C, master's degree plus 30 credit hours.....	8,820	9,070	9,320	9,570	9,820	10,070	10,320	10,570	10,820
Assistant director, audiovisual.									
Assistant director, practical nursing.									
Assistant director, subject field.									
Associate professor, teachers college.									
Chief librarian, teachers college.									
Supervisor, elementary education.									
Class 12:									
Group B, master's degree.....	8,210	8,460	8,710	8,960	9,210	9,460	9,710	9,960	10,210
Group C, master's degree plus 30 credit hours.....	8,410	8,666	8,910	9,160	9,410	9,660	9,910	10,160	10,410
Chief attendance officer.									
Clinical psychologist.									
Class 13:									
Group B, master's degree.....	7,395	7,710	8,025	8,340	8,655	8,970	9,285	9,600	9,915
Group C, master's degree plus 30 credit hours.....	7,595	7,910	8,225	8,540	8,855	9,170	9,485	9,800	10,115
Assistant professor, teachers college.									
Psychiatric social worker.									
Assistant professor, laboratory school.									

" Salary class and position	Service step 1	Service step 2	Service step 3	Service step 4	Service step 5	Service step 6	Service step 7
Class 14:							
Group A, bachelor's degree.....	\$6,030	\$6,285	\$6,540	\$6,795	\$7,050	\$7,305	\$7,560
Group B, master's degree.....	6,530	6,785	7,040	7,295	7,550	7,805	8,060
Group C, master's degree plus 30 credit hours.....	6,730	6,985	7,240	7,495	7,750	8,005	8,260

" Salary class and position	Service step 8	Service step 9	Service step 10	Service step 11	Service step 12	Service step 13
Class 14:						
Group A, bachelor's degree.....	\$7,815	\$8,070	\$8,325	\$8,580	\$8,835	\$9,090
Group B, master's degree.....	8,315	8,570	8,825	9,080	9,335	9,590
Group C, master's degree plus 30 credit hours.....	8,515	8,770	9,025	9,280	9,535	9,790

" Salary class and position	Service step 1	Service step 2	Service step 3	Service step 4	Service step 5	Service step 6	Service step 7	Service step 8
Class 15:								
Group A, bachelor's degree.....	\$5,000	\$5,260	\$5,520	\$5,785	\$6,050	\$6,315	\$6,580	\$6,845
Group B, master's degree.....	5,500	5,760	6,020	6,285	6,550	6,815	7,080	7,345
Group C, master's degree plus 30 credit hours.....	5,700	5,960	6,220	6,485	6,750	7,015	7,280	7,545
Attendance officer.								
Census supervisor.								
School psychologist.								
Counselor, elementary and secondary schools.								
Instructor, teachers college.								
Instructor, laboratory school.								
Child labor inspector.								
Counselor, placement.								
Librarian, elementary and secondary schools.								
Librarian, teachers college.								
Research assistant.								
School social worker.								
Speech correctionist.								
Coordinator of practical nursing.								
Teacher, elementary and secondary schools.								

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued Oct. 12, 1962
For actions of Oct. 11, 1962
87th-2d, No. 187

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HIGHLIGHTS: Both Houses agreed to conference report on agricultural appropriation bill. Both Houses agreed to conference report on roads bill. Senate passed supplemental appropriation bill. Sen. Dirksen criticized farm program. Sen. Morse urged Tariff Commission action to restrict lumber imports.

SENATE

1. SUPPLEMENTAL APPROPRIATION BILL, 1963. Passed with amendments this bill, H. R. 13290 (pp. 21938-50). Agreed to the committee amendments en bloc which included items for this Department (see Digest 184 for a summary of these items) (pp. 21939-40). Senate conferees were appointed (p. 21950). This bill also includes \$1,000,000 for the Department of Commerce for research on transportation policies, \$450,000 for the Department of Commerce for trade adjustment assistance to import-injured firms, \$500,000 for the Bureau of Outdoor Recreation, and \$850,000 for the revolving fund of the Virgin Islands Corporation to help in meeting the demands for electric power in the islands.
2. ROADS. Both Houses agreed to the conference report on H. R. 12135, the roads authorization bill for 1964 and 1965 (pp. 21919, 21969-70). This bill will now be sent to the President. This bill includes authorizations for forest highways of \$33 million for fiscal years 1964 and 1965, and for forest develop-

ment roads and trails an additional \$10 million for fiscal year 1963, \$70 million for fiscal year 1964, and \$84 million for fiscal year 1965.

3. FARM PROGRAM; LEGISLATIVE RECORD. Sen. Dirksen reviewed the legislative record of this session of Congress, criticized the administration's farm proposals and other aspects of the administration's legislative program, and stated that "never in the history of the Nation has the Congress spent so much time accomplishing so little as it did in the 2nd session of the 87th Congress." pp. 21902-11
4. FORESTRY. Sen. Morse urged the Tariff Commission to take action to restrict softwood lumber imports from Canada and expressed his disagreement with a Tariff Commission interpretation that provisions of the Trade Expansion Act of 1962 varies from present law as concerns escape clause procedure. pp. 21919-22
5. FOREIGN TRADE. Sen. Mansfield inserted the President's statement upon his signing of the Trade Expansion Act of 1962 in which he stated that it "is the most important international piece of legislation ... affecting economics since the passage of the Marshall plan." p. 21927
6. ELECTRIFICATION. Sen. Morse inserted a letter to the editor by Clyde T. Ellis in which he stated that a story on the Western States Water and Power Consumers Conference "failed to fully and accurately reflect my views on the question of the threat of economic dictatorship by the commercial power companies." pp. 21954-5
7. CRANBERRIES. Received from GAO a report on the review of the cranberry indemnity program, AMS. p. 21892
8. LEGISLATIVE PROGRAM. Sen. Mansfield stated that the following three conference reports will probably be considered on Fri.: public works appropriation bill, public works authorization bill, and supplemental appropriation bill. p. 21954

HOUSE

9. AGRICULTURAL APPROPRIATION BILL, 1963. Both Houses agreed to the third conference report on items in disagreement on this bill, H. R. 12648, and acted on four amendments further reported in disagreement (pp. 21914, 21934-7, 21960-1, 22007, 22008-9). This bill will now be sent to the President. Attached to this Digest is a copy of the conference report on the action of the conferees on the items in disagreement. With regard to Senate amendments 2, 47, 51, and 53, which were further reported in disagreement, the following actions were taken:
No. 2: Both Houses receded from disagreement and agreed to an amendment as follows: "For research and demonstrations on the production and utilization of agricultural products, home economics, and related research and services, and acquisition of land by donation, exchange, or purchase at a nominal cost not to exceed \$100, \$77,473,000; plus additional amounts for research as follows: \$325,000 for staffing new research laboratories, \$670,000 for research on cost of production, and \$4,875,000 for expanded utilization research; and plus the following amounts, to remain available until expended, for construction, alteration and equipping of facilities; \$395,000 for soil and water research facilities at Sidney, Montana, \$450,000 for poultry research facilities at East Lansing, Michigan, \$400,000 for Mandan, North Dakota, \$125,000 for the Southern Piedmont soil and water facility, \$585,000 for Tuscon, Arizona, \$500,000 for the regional tree fruit and nut crops station in the Southeast, \$165,000 for the research station at Carbondale, Illinois, and \$160,000 for improvement of heating, water and electrical systems at the Agricultural Research Center at Beltsville, Maryland; in all, \$86,123,000."

FEDERAL-AID HIGHWAY ACT OF 1962—CONFERENCE REPORT

Mr. McNAMARA. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 28 of the United States Code and for other purposes. I ask unanimous consent for the present consideration of the report.

The ACTING PRESIDENT pro tempore. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of October 10, 1962, pp. 21852-21853, CONGRESSIONAL RECORD.)

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. McNAMARA. Mr. President, the report was agreed to by all the conferees of both Houses, and signed by all the members of the conference committee.

The action of the conferees may be summarized as follows:

The authorization for A-B-C funds for fiscal year 1965 of \$975 million was approved, as included in the House passed bill, rather than \$950 million approved by the Senate.

The House figure of \$10 million additional funds for forest development roads and trails for fiscal year 1963 was approved, rather than \$20 million as approved by the Senate.

The Senate amendment increasing the funds for parkways for fiscal year 1964 by \$550,000 was approved. The House managers insisted on inclusion in their report a statement that nothing shall be construed as specifically earmarking any of the authorization for parkways for particular projects in any State.

The increased authorization of \$18 million for Public Lands Highways for fiscal years 1963, 1964, and 1965, was approved by the conferees, with a similar statement in the House managers' report on earmarking any of the funds for specific projects.

An authorization of \$850,000 for completion of the Rama Road in Nicaragua was approved, as passed by the Senate.

The authorization of an additional amount of \$32 million for completion of the Inter-American Highway was approved. The contract authority was limited to \$12 million, such contractual authority to be reduced by any amounts appropriated for the Inter-American Highway during this session of Congress.

The language in the House bill on the use of 0.5 percent of A-B-C funds for each fiscal year beginning with 1964, for highway research, planning, and other purposes, was agreed to by the conferees.

The provision for a study of highway matters in Alaska and interconnections between Alaskan highways and Canadian highways at the international boundary, was agreed to by the conferees.

Mr. President, the Federal Aid Highway Act of 1962 is a good bill, and is urgently needed to keep the highway program moving forward. It will permit immediate apportionment of the A-B-C funds to the States, and allow them to award contracts and proceed with their highway work. It will also permit advancement of construction on important roads on Federal lands and reservations to provide for their full development and utilization.

Mr. President, I move that the conference report be agreed to.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McNAMARA. I am happy to yield to the Senator from Oregon.

Mr. MORSE. Before the conference report is adopted, I wish to say that, as one Senator, I think I speak for most, if not all, my colleagues in the Senate in expressing my appreciation to the Senator from Michigan [Mr. McNAMARA] for his very wise and able leadership in resolving the differences between the Senate and the House in regard to this measure. This bill is of importance not only to every State in the Union from an economic standpoint, but important also to the whole country from the standpoint of the great problem which confronts us; namely, the shocking record of fatalities on the highways. I am told that 40,000 to 50,000 persons a year are killed on the highways, and that many times that number are seriously injured, yet the highway engineers tell us over and over again that we cannot reduce the fatalities except by improving the highways, because many highways cannot accommodate modern automobiles.

The safety programs cannot possibly cut down fatalities, yet there has been some controversy as to whether we ought to put a dollar sign ahead of those lives.

I commend the Senator from Michigan for the social conscience which has motivated him, in my judgment, in his leadership on this bill, because, as we pass the bill this afternoon, we are probably taking the most effective safety step we can take toward cutting down the shocking loss of life and injuries on American highways.

I congratulate the Senator again.

Mr. McNAMARA. Mr. President, I thank the Senator. This is a part of our highway program which, I think, is too often overlooked and too frequently not recognized.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

LUMBER IMPORTS AND THE TRADE ACT

Mr. MORSE. Mr. President, I have told the majority leader that when he needed time for a little off-the-floor negotiating on other matters, I would use some time—not very much—to present a lumber matter which is of vital concern to the lumber industry of my

State. Therefore, Mr. President, I take the floor to discuss my understanding of the legislative intent of the Trade Expansion Act of 1962 which was passed by this distinguished body last week, as it applies to a matter presently before the U.S. Tariff Commission.

This trade bill was, by its very comprehensive nature, of concern to a great many, and I might add, especially to the American lumber industry, and its strong elements in the great Pacific Northwest, as to the effect it would have on its struggle for equitable treatment in the face of foreign attacks on its traditional domestic markets.

I am advised that Chairman Ben D. Dorfman, of the U.S. Tariff Commission, in opening the lumber industry proceeding, analyzed the elements of the case and interpreted the laws with respect to the hearing and the potential Commission findings. In apprising the parties to the hearing of the pertinent laws, Chairman Dorfman apparently said that there was a difference between section 7 of the Trade Agreements Act and section 301(b) of the newly passed Trade Expansion Act in relation to how the Commission must consider what causes or threatens serious injury. Explaining his interpretation of the escape clause provision of the new bill, Chairman Dorfman said:

The escape clause provisions of the two acts differ also with respect to the description of the injury criteria that the Tariff Commission is to take into account. The Trade Expansion Act omits reference to any of the injury factors specifically enumerated in section 7.

The Commission should not misunderstand legislative intent upon this point since it could materially affect both the presentation of pertinent facts in this proceeding and the arrival at a just and equitable provision for relief.

It was on this very point that the distinguished chairman of the Senate Finance Committee, the senior Senator from Virginia, acting as floor manager for the trade bill, assured me that there was no intention that there would be any difference between section 7 of the present Trade Agreement Extension Act and section 301(b) of the new bill as it was passed by Congress. The Senators will recall that I asked the senior Senator from Virginia, floor manager for the trade bill, the following question:

Does the Senator agree with me that insofar as deciding what economic factors shall be considered by the Tariff Commission in determining injury to a domestic industry, there is no difference between 301(b) of the pending bill and section 7 of the Trade Agreement Extension Act?

The senior Senator from Virginia answered in the affirmative. He said:

The Tariff Commission shall consider all relevant economic factors and in this respect the criteria for determining injury does not differ in any way from the present law.

To further support this interpretation of the Trade Expansion Act of 1962, I call attention to pages 10 and 11 of Report No. 2059 which is a Senate report on the trade bill. The report states, and I quote:

The language in the bill which modifies present law, as it relates to the criteria for determining injury in an escape clause proceeding before the Tariff Commission, is to make perfectly clear that all relevant economic factors should be considered. In this respect the criteria for determining injury does not differ from present law.

It is clear, then, that the new trade bill had no intention of changing the criteria for determining injury in cases before the Tariff Commission. Because lumbermen of my State have been before the Tariff Commission and their case is presently being considered by the Tariff Commission at this very moment, I thought it was important that I make perfectly clear my feeling in the matter and my view of the legislative intent of the trade bill. It is important that the Commission, in the final analysis, consider all the economic factors before making a recommendation to the President as to what he should do in invoking the "escape clause" provision or the other useful provisions in this act.

My colleagues in the Senate know how hard we in the Northwest have fought for the lumber industry of our States, of the Pacific Northwest, and of the United States. It is quite clear, with the importation of Canadian softwood lumber into this country reportedly taking close to 17 percent of our total domestic market, that something must be done. Loggers, woodsmen, and lumbermen, mills and communities feel the effect of competition from Canadian softwood lumber. We cannot afford to weaken our own economy by exporting American lumber jobs to Canada.

I think the proper procedure has been for the lumber industry to take its case to the Tariff Commission, and I urged that this be done.

At the Portland, Oreg., hearings earlier this year I cross-examined witnesses representing the lumber industry. I sought to elicit from them why they had not filed a request for a hearing before the Tariff Commission. Whatever the reasons, the fact is that on the basis of that discussion they reached a decision that they would proceed forthwith to prepare their application for hearings before the Tariff Commission. They completed that application and the hearings now going on are the result. Their case is now being heard by the Tariff Commission.

I hope that the Commission will act expeditiously, as requested by the President, so that a prompt and equitable solution can be found.

I propose to do all that I can to assist the lumber industry in its efforts in getting relief.

As I said on the floor of the Senate, if it becomes necessary, I will be back in January with proposed legislation to assist the industry.

In my earlier speeches on this subject, I outlined some of the proposed legislation that I shall introduce in January if the Canadian Government does not see the fairness and wisdom of arriving at a reasonable voluntary arrangement with the United States on lumber. In my judgment the application of industrial statesmanship and trade statesmanship

could produce an arrangement which will be helpful to both industries. I am told the Canadians, too, contend that their industry is not in the best condition. Well, it is doing all right. I suggest it could do better if it will cooperate, for the real issue is to expand the use and market for wood.

Today I sent a letter to the Chairman of the Tariff Commission, Mr. Ben Dorfman, setting forth my views as to what I understand is his interpretation of the recently passed trade bill as reported when the lumber hearings opened on October 4. His reported present interpretation is at variance with my understanding of the interpretation we in both Houses of Congress, place on the act. I ask unanimous consent that a copy of my letter to the Chairman of the Commission be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 10, 1962.

HON. BEN D. DORFMAN,
Chairman, U.S. Tariff Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: The current hearing before the Tariff Commission to determine whether there is sufficient reason to recommend to the President that he invoke the escape clause of the General Agreements on Tariffs and Trade with respect to softwood lumber importations from Canada is fraught with significance for my constituents in Oregon and indeed, throughout the Pacific Northwest.

I interpret your opening statement in that proceeding to indicate that you consider that the Trade Expansion Act of 1952, as passed by the Congress varies from present law as concerns escape clause procedure. I have difficulty reconciling this interpretation with the legislative history of the bill in the Senate.

There are, obviously, many differences between the Trade Agreements Act and the new Trade Expansion Act. I believe, however, that a complete review of the language and legislative history of the bill now in the White House will reveal that the differences are principally confined to the tariff cutting authority and assistance relief. The section referred to in your opening remarks of the present proceeding, section 7 of the Trade Agreements Act, does not vary materially from section 301(b) of the Trade Expansion Act. You suggest that the differences are such that the criteria for applying for relief under the escape clause provision of the new act will make a substantial difference in the present proceeding.

I invite your attention to the colloquy between Senator HARRY F. BYRD, chairman of the Senate Finance Committee, and myself when the present bill was debated on the floor of the Senate September 18, 1962.

Specifically, I asked Senator BYRD: "Is it intended that the Tariff Commission shall consider all relevant economic evidence of injury to a domestic industry in an escape clause case?" The chairman of the Senate Finance Committee answered in the affirmative.

During the floor colloquy I asked the Finance Committee chairman if there would be any difference between section 301(b) of the new bill and section 7 of the old law in determining injury to a domestic industry. Senator BYRD replied: "The Tariff Commission shall consider all relevant economic factors, and in this respect the criteria for determining injury does not differ in any way from present law."

You will agree, I am sure, that the legislative intent differs from your statement, "The escape-clause provisions of the two acts differ also with respect to the description of injury criteria that the Tariff Commission is to take into account." I respectfully suggest that through this statement, you have inadvertently misinterpreted the legislative intent as the law was written and specifically commented upon by the legislative branch of the Government.

It may be helpful in your consideration of the problem if you would refer to the colloquy between the floor manager of the Trade Expansion Act in the Senate and the senior Senator from Oregon. I am enclosing a copy of the colloquy as reported in the CONGRESSIONAL RECORD for your reference.

The industry of my State is vitally interested in full protection of the rights given to it by legislation before your Commission. It seeks only that it be given every opportunity to establish its just claims within the scope and intent of the law.

I am satisfied that you and your fellow commissioners will conduct a fair and comprehensive hearing into the lumber problem as it involves the importation of Canadian softwood lumber. It is essential, however, that the basic rules under which the hearing is conducted and the finding prepared be clearly within the intent of the Congress in drafting and passing the Trade Expansion Act of 1962.

With some 17 percent of the total domestic consumption of softwood lumber in the United States coming from Canadian sources, I am sure you can understand my compelling interest in the recommendation the Tariff Commission will make to the President with respect to this mounting problem which is taking jobs and closing mills in my State.

This case may well be the first one decided under the new trade bill. Certainly it will be the first major case. The decision you make will involve, therefore, more than the lumber industry. It will be widely interpreted as setting the tone for the approach that will be taken to trade adjustment issues.

This will then be a landmark decision and management and labor alike, all across this land will begin to form opinions on the effectiveness of our new trade policy.

As a man elected to represent the Nation's leading lumber-producing State, I have a deep interest in the issue now before you. In my broader capacity as a U.S. Senator, I have an equal obligation to the national interest.

Sincerely yours,

WAYNE MORSE.

MR. MORSE. Mr. President, I wish to make perfectly clear that I have considered the problem before my State to be a nonpartisan matter. The issue in my State is of interest not only to the lumber mill owners and workers in the mills and in the forests, but also of great concern to all segments of the economy of Oregon. On a nonpartisan basis it is of great concern to both Democrats and Republicans, irrespective of their political affiliation.

Mr. President, even though the Governor and I are of different parties, and even though I am supporting enthusiastically the Democratic opponent of the Governor in the present campaign in my State, I think I owe it to the Governor, to the lumber industry, and to the people of my State to make clear in the RECORD that Republicans and Democrats alike here in the Congress are greatly concerned about the economic injustice that the lumber industry is suffering at the hands of the Ca-

available for purchase of furniture and equipment for new dormitories at the District of Columbia Village."

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 25 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: On page 12, line 4, strike out "seventy five" and insert "one hundred and twenty-five (fifty for investigators in the Department of Public Welfare)".

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: On page 15, line 4, insert: "Sec. 16. The salary of the Controller for the Department of Public Welfare shall be at the rate of Grade GS-16 and the Commissioners are authorized to appoint supervisors of investigators for the Department of Public Welfare at Grade GS-11 and investigators at Grade GS-9."

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. Without objection, a motion to reconsider the votes by which action was taken on the several motions is laid on the table.

There was no objection.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to include in the RECORD a chart concerning the operating expenses and capital outlay at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The matter referred to follows:

District of Columbia appropriation bill, 1963

Item	Budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—		
					Budget estimate	House	Senate
Operating expenses.....	\$242,428,200	\$237,546,000	\$237,002,300	\$236,735,350	-\$5,692,850	-\$810,650	-\$266,950
Capital outlay.....	57,733,278	52,513,000	52,251,000	52,251,000	-5,482,278	-262,000	
Total.....	300,161,478	290,059,000	289,253,300	288,986,350	-11,175,128	-1,072,650	-266,950

GENERAL LEAVE TO EXTEND

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks; and that all Members have 3 legislative days to extend their remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

FEDERAL AID HIGHWAY ACT OF 1962

Mr. FALLON. Mr. Speaker, I call up the conference report on the bill (H.R. 12135) to authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 10, 1962.)

Mr. FALLON. Mr. Speaker, the difference between the bill the House passed and the bill passed by the other body amounted to \$51,400,000 more than the House bill, as we came out of conference.

The additions put in on the Senate side to which the House agreed were, Public Lands and Highways, for 3 years, in the amount of \$18 million; an increase of \$550,000 on parkways; and \$850,000 for the completion of the Rama Road. Also \$32 million for the American Highway completion and \$800,000 for the Alaskan study.

Mr. Speaker, the committee held hearings on all these items that were not in the House bill that were included in the Senate bill. The conferees were very familiar with the need for these items that were included in the House bill to which the conferees receded and concurred in the Senate amendments.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I wish to congratulate the gentleman, the chairman of this very important subcommittee, who has given great leadership throughout the years to this highway legislation. This conference comes back with a unanimous agreement. I think the conferees accomplished some good end results. We certainly did not capitulate to the other body. For instance, we took out \$10 million that had been put in for forest roads and trails. The other body had increased the amount from \$10 million to \$20 million. We were able to get the conferees to agree on the ABC authorizations consistent with the

basic law and understanding of the ABC system, on a rate of \$25 million per year going to \$1 billion at that rate.

Therefore, the conferees agreed to accept the House version of the 1960 authorization for ABC at \$950 million; that the 1965 authorization shall be \$975 million, that being \$25 million over the Senate version. Those of us on the committee have felt for some time that this having been understood and agreeable to the committee and in the basic authorization, this should be complied with and that all the States could rely on this.

On parkways \$550,000 was added but, consistent with my views and those of the conferees on the House side the Senate receded on the question of earmarking funds in the parkways program. I have been opposed and remain opposed in this program, which is traditionally a lump sum amount program, to earmarking projects.

On the public lands highways the conferees acceded to the Senate position. On the Inter-American Highway the amendments of the House conferees were agreed to.

On the Alaskan Highway study authorization, pursuant to the House bill, the conferees took the language requested by the House conferees, to make certain that the studies that are made would not authorize either in the form of studies or by implication future construction of any highways, extraterritorial highways, highways outside the territorial limits and boundaries of Alaska. But it does permit consideration to be given to how highways shall be connected up with—obviously the Canadian highways.

Mr. Speaker, I think it is a good conference report and I recommend its adoption.

Mr. FALLON. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Speaker, it has been a privilege to serve on the committee of conference which was headed on the House side by the gentleman from Maryland [Mr. FALLON]. It has been a privilege to serve with him for the last 8 years on the Roads Subcommittee of the House Committee on Public Works. I have admired his fairness and integrity in all the hearings and executive sessions and all the negotiations on this highway bill. The House was represented ably by our House conferees headed by the gentleman from Maryland [Mr. FALLON] in the conference.

I share the views of all the other conferees who have spoken that this is a fair and equitable conference report. There was a point in this session where there was some doubt as to whether the Senate was going to request any conference on the highway bill and there was considerable concern on the part of many of the State highway departments that possibly Congress might not take any action on this bill this year. From a date standpoint this bill could have been carried over to January because it applies to the fiscal years 1964 and 1965, but as a practical matter many of the departments need a good deal of leadtime for

advance engineering designs and plans and to take the necessary time to put in their own budgets the amounts they will require from Federal funds. Therefore, from the standpoint of keeping the Federal-State highway program moving as quickly as possible, it is highly desirable that we pass this legislation now in this session of Congress.

I am glad we have been able to arrive at an agreement and bring it back to the House in time for passage before adjournment.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Florida.

Mr. CRAMER. I think it might be well to point out that as in the case of parkways the conferees also agreed that on public lands highways where there was a substantial increase in funds, even though the Senate report contains specific States where this amount was contemplated to be spent, it was the view of the conferees on our side, and the Senate agreed to go along with it, that these additional funds would not be earmarked to any specific States nor denied to any other States who have public land highways. Otherwise, it would not be fair or equitable.

I congratulate the gentleman from California for being one that led that fight in that his State would have been denied these funds otherwise. Is that not correct?

Mr. BALDWIN. The gentleman from Florida has made an accurate statement of the agreement which was arrived at by all conferees on both sides, that no funds in this bill should be given any priority as to any State whatsoever.

Mr. FALLON. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I want to compliment the conferees on the fine work they have done on this program, the Federal Highway Act of 1962. I support the conference report. I think the conferees have done a fine job for the United States.

I want particularly to express my thanks and appreciation to the conferees for accepting the provisions of the bill with reference to the public lands highway. I testified before the committee in the House and the committee in the Senate on the need for a road under this program in the Ouachita National Forest in Arkansas and Oklahoma. This recreation and scenic road is between Mena, Ark., in my district and U.S. Highway No. 271. It runs over into the State of Oklahoma, the district represented by the distinguished majority leader of the House. We jointly have been interested in this. It is one of those projects that qualifies to be included for construction with the authorization. It will be about 55 miles long and estimated to cost about \$7 million.

I want to thank the conferees, particularly the chairman, for his courteous consideration of this matter in which our people are so tremendously interested.

(Mr. HARRIS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman.

Mr. GROSS. Do I understand that the other body put in this provision concerning the Rama Road?

Mr. FALLON. That is correct.

Mr. GROSS. I thought we were told in the House some 3 years ago that the authorization at that time be the last dollar to be spent on the Rama Road, yet here I find in this bill \$850,000 or nearly \$1 million more. When is this thing going to end?

Mr. FALLON. I understand it ends after this last 5 miles is completed so that it will be an all-purpose road or all-weather road from San Benito to Rama. This is the last 5 miles of the 155 miles going from the Inter-American Highway to the Pacific Coast.

Mr. GROSS. The gentleman says this is the last money that we will be called upon to spend on the Rama Road?

Mr. FALLON. That is the assurance that was given to the committee.

Mr. GROSS. I hope the gentleman is more right on that than was the information given the House some 3 years ago when we were told there would not be another dime going to the Rama Road.

Mr. FALLON. May I say to the gentleman I share the same hope as the gentleman from Iowa.

Mr. GROSS. I thank the gentleman and I hope this is the end.

Mr. FALLON. Mr. Speaker, I yield such time as he may require to the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Speaker, I rise in support of this conference report on the bill, H.R. 12135. It was a pleasure to serve on the conference committee with such outstanding gentlemen as the father of the Interstate Highway System, the gentleman from Maryland [Mr. FALLON], and also with the gentleman from Florida [Mr. CRAMER] and the gentleman from New York [Mr. BALDWIN]. As I say, it was a pleasure to serve with them on the committee and I believe the committee has done a fine job. I think that the Members of the House should be proud of the outstanding work they have done both in the Committee on Public Works and also in the conference.

Mr. Speaker, I support this conference report and know that it will be overwhelmingly adopted.

Mr. FALLON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Member for checking his tentative voting record for this session. I find in a small instance I am not correctly recorded.

On rollcall No. 99 of Wednesday, June 6, 1962, on the consideration of H.R. 11665, on the motion to recommit with instructions I voted "nay" and ask unanimous consent to have the Record corrected accordingly.

I have always voted for the Federal school lunch program and in this instance strongly favor the provision for \$10 million in special assistance to States giving free or reduced-price lunches in depressed areas and areas of unemployment.

The SPEAKER. Without objection, the permanent Record and Journal will be corrected accordingly.

There was no objection.

(Mr. FULTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

[Mr. FULTON'S remarks will appear hereafter in the Appendix.]

DISTRICT OF COLUMBIA TEACHERS' SALARY AND RETIREMENT AMENDMENTS OF 1962

Mr. DOWDY. Mr. Speaker, I call up the conference report on the bill (S. 1447) to amend the District of Columbia Teachers' Salary Act of 1955, as amended, and to provide for the adjustment of annuities paid from the District of Columbia teachers' retirement and annuity fund, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. DOWDY]?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 10, 1962.)

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Iowa.

Mr. GROSS. Are the amendments in this bill germane?

Mr. DOWDY. I would like to say to the gentleman that the amendments made were negligible. We sustained 90 percent of the position of the House. They are all germane.

Mr. GROSS. All amendments to this bill are strictly germane to the subject matter of the bill as it passed the House. Is that correct?

Mr. DOWDY. Yes, that is correct.

Mr. GROSS. And what is the increase above the 10.1 percent that the House approved?

Mr. DOWDY. There is probably a very negligible increase, up to maybe 10.2 percent. I will state it this way. The House bill as we passed it was for \$2

CORRECTION OF ROLL CALL

Mr. FULTON. Mr. Speaker, the Clerk of the House has submitted to each



Public Law 87-866
87th Congress, H. R. 12135
October 23, 1962

An Act

76 STAT. 1145.

To authorize appropriations for the fiscal years 1964 and 1965 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1962". Federal-Aid Highway Act of 1962.

AUTHORIZATIONS

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, \$950,000,000 for the fiscal year ending June 30, 1964, and \$975,000,000 for the fiscal year ending June 30, 1965. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1964, and \$33,000,000 for the fiscal year ending June 30, 1965.

(3) For forest development roads and trails, an additional \$10,000,000 for the fiscal year ending June 30, 1963, \$70,000,000 for the fiscal year ending June 30, 1964, and \$85,000,000 for the fiscal year ending June 30, 1965.

(4) For public lands development roads and trails, \$2,000,000 for the fiscal year ending June 30, 1964, and \$4,000,000 for the fiscal year ending June 30, 1965.

(5) For park roads and trails, \$22,000,000 for the fiscal year ending June 30, 1964, and \$25,000,000 for the fiscal year ending June 30, 1965.

(6) For parkways, \$16,550,000 for the fiscal year ending June 30, 1964, and \$16,000,000 for the fiscal year ending June 30, 1965.

(7) For Indian reservation roads and bridges, \$16,000,000 for the fiscal year ending June 30, 1964, and \$18,000,000 for the fiscal year ending June 30, 1965.

(8) For public lands highways, the additional sum of \$6,000,000 for the fiscal year ending June 30, 1963, and the sum of \$9,000,000 for the fiscal year ending June 30, 1964, and \$9,000,000 for the fiscal year ending June 30, 1965.

THE RAMA ROAD

SEC. 3. That in order to provide for completion of the Rama Road in the Republic of Nicaragua, there is hereby authorized to be appropriated to the Department of State, in addition to the sums heretofore authorized, the sum of \$850,000, to be available until expended, for discharging the United States obligation under the applicable agreement with the Government of Nicaragua: *Provided*, That the survey and construction work shall be under the general supervision Appropriation.

72 Stat. 911.

of the Secretary of Commerce: *Provided further*, That funds provided pursuant to this authorization shall not be available for expenditure except under the conditions set forth in section 213 of title 23, United States Code, with respect to the authorization contained in that section: *And provided further*, That the funds authorized in this section shall be available for contract immediately upon the passage of this Act.

INTER-AMERICAN HIGHWAY

Appropriation.

Limitation.

SEC. 4. For the purpose of completing the construction of the Inter-American Highway, there is hereby authorized to be appropriated the additional sum of \$32,000,000 to be expended in accordance with the provisions of section 212 of title 23 of the United States Code: *Provided*, That no part of such sum shall be obligated in any country until that country demonstrates, to the satisfaction of the Secretary, that it is capable of and willing to meet its commitment for maintenance under the agreements entered into pursuant to the provisions of section 212(a) (5) of title 23, United States Code. Not to exceed \$12,000,000 of the funds authorized herein shall be available for contract immediately upon enactment of this Act and compliance with such commitment, except that such contract authority shall be reduced by such amounts as are appropriated for construction of the Inter-American Highway by the Eighty-seventh Congress, second session.

ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

23 USC 101-132.

SEC. 5. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

"§ 133. Relocation assistance

"Eligible person."

"(a) As used in this section the term 'eligible person' means any individual, family, business concern (including the operation of a farm) and nonprofit organization to be displaced by construction of a project.

"(b) The Secretary prior to his approval of any project under section 106 of this title for right-of-way acquisition or actual construction shall require the State highway department to give satisfactory assurance that relocation advisory assistance shall be provided for the relocation of families displaced by acquisition or clearance of rights-of-way for any Federal-aid highway.

"(c) The Secretary shall approve, as a part of the cost of construction of a project on any of the Federal-aid highway systems, such relocation payments as may be made by a State highway department, or a local public agency acting as an agent for the State highway department for this purpose, to eligible persons for their reasonable and necessary moving expenses caused by their displacement from real property acquired for such project. However, the Secretary shall not require a State to pay relocation payments where not authorized by State law.

Limitations.

"(d) Payments under this section shall be subject to such rules and regulations as may be prescribed by the Secretary, and shall not exceed \$200 in the case of an individual or family, or \$3,000 in the case of a business concern (including the operation of a farm) or nonprofit organization. In the case of a business (including the operation of a farm) and in the case of a nonprofit organization, the allowable expenses for transportation under this subsection shall not exceed the cost of moving 50 miles from the point from which such business or organization is being displaced. Such rules and regulations may include provisions authorizing reimbursement for payments made to individuals and families of fixed amounts (not to exceed \$200 in any

case) in lieu of their respective reasonable and necessary moving expenses.

“(e) This section shall apply only with respect to projects approved under section 106 of this title after the date of enactment of this section.” 72 Stat. 892.

(b) The analysis of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

“133. Relocation assistance.”

PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS

SEC. 6. (a) Section 101 of title 23, United States Code, is amended by inserting immediately after the paragraph which begins “The term ‘project agreement’ means”, the following:

“The term ‘public lands development roads and trails’ means those roads or trails which the Secretary of the Interior determines are of primary importance for the development, protection, administration, and utilization of public lands and resources under his control.”

(b) Chapter 2 of title 23 of the United States Code is amended by adding at the end thereof the following new section: 23 USC 201-213.

“§ 214. Public lands development roads and trails

“(a) Funds available for public lands development roads and trails shall be used to pay the cost of construction and improvement of such roads and trails.

“(b) Funds available for public lands development roads and trails shall be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities.

“(c) The Secretary shall approve the location, type, and design of all projects for public lands development roads and trails before any expenditures are made thereon and all construction thereof shall be under the general supervision of the Secretary.”

(c) The analysis of chapter 2 of title 23 is amended by adding at the end thereof the following:

“214. Public lands development roads and trails.”

AVAILABILITY OF FUNDS—OTHER HIGHWAYS

SEC. 7. Section 203 of title 23 of the United States Code is amended by inserting immediately before the phrase “park roads and trails”, at each of the two places it appears in such section, the following: “public lands development roads and trails,”.

FEDERAL-AID SECONDARY HIGHWAY SYSTEM—URBAN AREAS

SEC. 8. (a) The last sentence of subsection (c) of section 103 of title 23, United States Code, is amended to read as follows: “This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area.”

(b) The amendment made by subsection (a) of this section shall apply to apportionments made before as well as after the date of enactment of this Act.

TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

Ante, p. 1146.

SEC. 9. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately following section 133 the following new section:

“§ 134. Transportation planning in certain urban areas

“It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section.”

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

“134. Transportation planning in certain urban areas.”

RURAL DELIVERY AND STAR ROUTE MILEAGE

72 Stat. 889;

73 Stat. 146.

SEC. 10. (a) Subsection (b)(1) of section 104 of title 23 of the United States Code is amended by striking out “preceding fiscal year” and inserting in lieu thereof “preceding calendar year”.

(b) The amendment made by subsection (a) of this section shall be applicable only with respect to apportionments made after the date of enactment of this Act.

HIGHWAY PLANNING AND RESEARCH FUNDS

72 Stat. 913.

SEC. 11. Subsection (c) of section 307 of title 23 of the United States Code is amended by inserting “(1)” immediately after “(c)”, by striking out “any year” and inserting in lieu thereof “each fiscal year prior to the fiscal year 1964”, and by adding at the end thereof the following:

“(2) One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.

“(3) In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraphs (1), (2), and (3) of section 104(b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection.

“(4) Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.”

DEFINITIONS

SEC. 12. For the purposes of section 2 of this Act each of the following terms shall have the same meaning as is given it in section 101 of title 23 of the United States Code:

72 Stat. 885.

- (1) Forest development roads and trails,
- (2) Forest highway;
- (3) Indian reservation roads and bridges;
- (4) Park roads and trails;
- (5) Parkway;
- (6) Public lands highways;
- (7) Federal-aid primary system;
- (8) Federal-aid secondary system;
- (9) Urban area;
- (10) Public lands development roads and trails.

ALASKA HIGHWAY STUDY

SEC. 13. (a) The Secretary of Commerce, in cooperation with the State of Alaska, is hereby authorized to make engineering studies and estimates and planning surveys relative to a highway construction program for the State of Alaska, and, in accordance with treaties or other agreements to be negotiated with Canada by the Secretary of State in consultation with the Secretary of Commerce, engineering studies, estimates, and planning surveys relative to connecting Alaskan roads with Canadian roads at the International boundary.

(b) On or before May 15, 1964, the Secretary of Commerce shall submit a report to the Congress which shall include—

Report to
Congress.

(1) an analysis of the adequacy of the Federal-aid highway program to provide for a satisfactory program in both the populated and the undeveloped areas in Alaska;

(2) specific recommendations as to the construction of roads through undeveloped areas of Alaska and connection of such roads with Canadian roads at the International boundary; and

(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

(c) From time to time, either before or after submission of the report provided for in subsection (b) of this section, the Secretary of Commerce may submit recommendations to the Congress with respect to the construction of particular highways to carry out the purposes of this section.

(d) Nothing in this section shall be construed as creating any obligation in the Congress, express or implied, to carry out the recommendations referred to in subsections (b) and (c).

(e) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until expended, the sum of \$800,000 for the purpose of making the studies, surveys, and report authorized by subsections (a) and (b) hereof.

Appropriation.

Approved October 23, 1962.

